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General Secretariat

Brussels, 14 September 2023

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**2022/0345 (COD)**

**WK 11542/2023 INIT**

**LIMITE**

**ENV**

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## CONTRIBUTION

|                |                                                                                                        |
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| From:          | General Secretariat of the Council                                                                     |
| To:            | Working Party on the Environment                                                                       |
| N° prev. doc.: | WK 10952/2023                                                                                          |
| N° Cion doc.:  | ST 14223/22 + ADD 1                                                                                    |
| Subject:       | Urban Wastewater Treatment Directive: Follow-up to WPE on 4 September 2023 - comments from delegations |

Following the call for comments on the above set out with WK 10952/2023, delegations will find attached comments from BE, BG, CZ, DK, DE, EE, IE, EL, IT, CY, LV, LU, HU, MT, NL, AT, PL, PT, SI, SK, FI and SE.

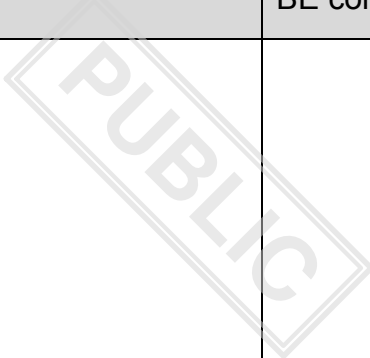
# BELGIUM

## RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | BE proposal | BE comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE proposal | BE comments |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| <p>(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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> When delineating their agglomerations, Member States should take into account the <b><u>indicative</u></b> reference threshold of <b><u>10 to 25 p.e. per hectare</u></b> above which the population, possibly combined with economic activities, located in a specific area are considered <b><u>sufficiently concentrated</u></b>. Where <b><u>centralised collecting</u></b> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                 |             |             |
| <p>(6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible</u></b>, or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del>. 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</p> |             |             |

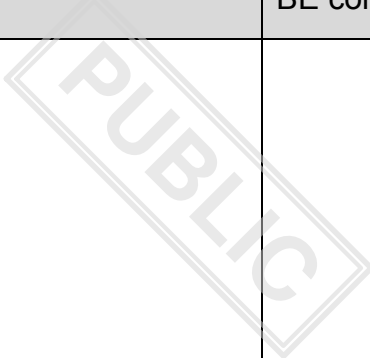
<sup>1</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | BE proposal                                                                         | BE comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |             |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |             |

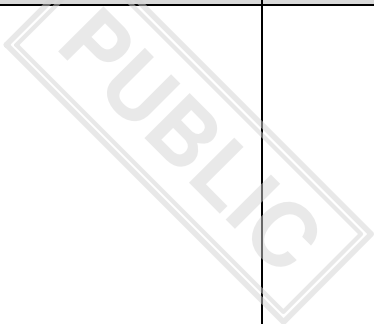


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | BE proposal | BE comments |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                                   |             |             |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |             |             |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | BE proposal                                                                         | BE comments |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |             |
| <p>(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 Council<sup>3</sup>, by those urban</p>                                                                                                                                                                                                                                                                         |                                                                                     |             |

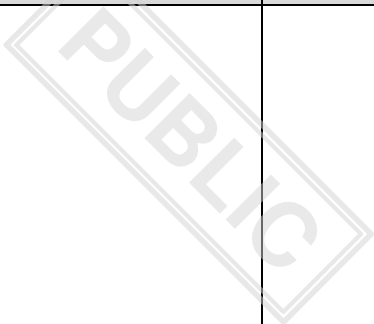
<sup>3</sup> Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | BE proposal                                                                         | BE comments |
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| <p>wastewater treatment plants. <u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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” Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> |  |             |

<sup>4</sup> 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).

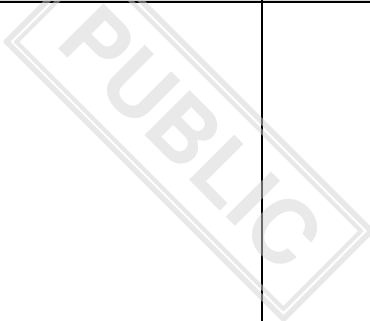
<sup>5</sup> Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond.

<sup>6</sup> 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).

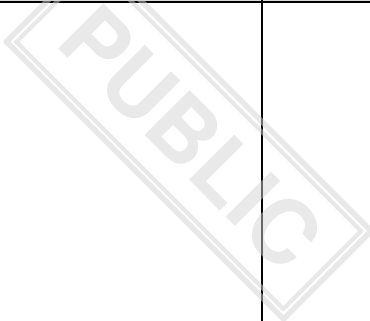
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | BE proposal                                                                         | BE comments |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |  |             |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                                                                                     |             |

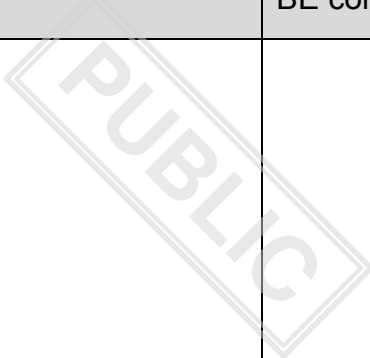
<sup>7</sup> Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | BE proposal                                                                         | BE comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |  |             |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                     |             |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | BE proposal                                                                         | BE comments |
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| <p>(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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |             |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 8<sup>th</sup> Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BE proposal                                                                         | BE comments |
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| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  |             |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |             |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                     |             |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                          | BE proposal | BE comments |
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| regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity. |             |             |
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## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | BE proposal | BE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to</del> <b>sustainable levels</b> 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. |             |             |



## ARTICLE 2 – DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and with and</del> urban runoff, <del>or both of them</del> ;                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                   | 'domestic wastewater' means wastewater <del>from residential settlements, and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (3) ' non-domestic wastewater' means <del>any wastewater, other than domestic wastewater and urban runoff</del> , which is discharged into collecting systems from premises used for either the following:<br><br>(a) the exercise of a trade;<br>(b) activities carried out by an institution;<br>© or industrial or economical activities;<br><br><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u> | Non-domestic wastewater' means <del>any wastewater, other than domestic wastewater and urban runoff, which is discharged into collecting systems from premises used for either the following:</del><br><br><del>(a) the exercise of a trade;</del><br><del>(b) activities carried out by an institution;</del><br><del>© or industrial or economical activities;</del><br><br><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u> | Reading the proposal for amending recital 2, we still see a need to include a clear provision in the text of the directive itself to assure that waste water from form commercial activities f.e shops, restaurants, pubs etc were the waste water is the same as domestic waste water.<br><br>We propose a reformulation of both the definition of domestic and non-domestic wastewater to simplify things in which the determining element is the source of the wastewater and not the activity. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                               | BE proposal | BE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above)</del> for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points. <u>into receiving waters;</u> |             |             |
| (5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                              |             |             |
| (6) <del>'sewer storm water overflow'</del> means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall;</del>                                                                                                                                                                                                                                                                                             |             |             |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <u>including urban runoff;</u> <del>including urban runoff;</del>                                                                                                                                                                                                                                                                                                  |             |             |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following:</b><br><del>(a) domestic</del> <b>urban</b> wastewater <b>not including urban runoff;</b><br><del>(b) non-domestic wastewater</del> <b>non-domestic wastewater;</b><br><del>(c) a mixture of domestic and non-domestic wastewater;</del><br><del>(d) rainwater from agglomerations;</del>                                                     |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                           | BE proposal | BE comments |
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| (10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del>                                                   |             |             |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%. |             |             |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of</del> biodegradable organic matter <u>in from</u> urban wastewater;                                                                                |             |             |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <u>reduces</u> <del>removes most of</del> by a process which removes nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                              |             |             |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <u>reduces</u> a broad spectrum of micropollutants <del>in from the from</del>                                                                                                                                                                      |             |             |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <u>organic residue and inorganic sludge-residue</u> resulting from the treatment of urban wastewater <u>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</u>               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal | BE comments |
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| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |             |             |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |             |             |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                |             |             |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |             |             |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                                    |             |             |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |             |             |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | BE proposal | BE comments |
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| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |             |             |
| (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; |             |             |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |             |             |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |             |             |
| (25) <b>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                           |             |             |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

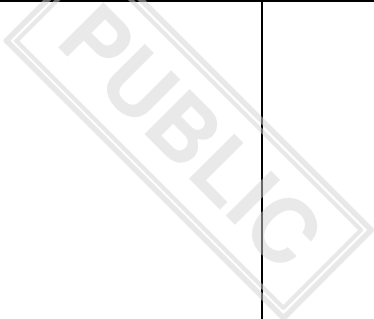
| New text proposal_Clusters1,3,5                                                                                                                                | BE proposal | BE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |             |             |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | BE proposal                                                                                                                                                                                                                                                                                                                                                                                   | BE comments                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <del>domestic urban</del> wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                               | <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <b>domestic urban</b> wastewater are connected to the collecting system</p> | <p>We can not support the change to urban waste water. The obligation to connect should only account for domestic in principle. Flexibility should be assured for non domestic wastewater to avoid a conflict with existing policy at MS (as is the case in BE) that industry should in principle treat there one wastewater.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE proposal | BE comments                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the basis of the maximum average weekly load entering the treatment plant <del>generated in that agglomeration</del> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p> |             | <p>This needs a review from a linguistic point of view. The wording ' the calculation of the load shall be calculated' seems not correct.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |                                                                                                                                               |
| <p>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                                |             |                                                                                                                                               |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                       | BE proposal | BE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |             |             |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |             |             |
|                                                                                                                                                                       |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                   |             |             |
| <p>(4); (5); (6)</p>                                                                                                                                                  |             |             |
|                                                                                                                                                                       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable, treatment of urban-domestic urban</b> wastewaters ('individual systems') are used <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least achieves</del> the same level of <b>environmental protection treatment</b> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                        | <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least achieves</del> the same level of <b>environmental protection treatment</b> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p> <p><b>This requirement will apply only to individual systems installed after the period for transposition included in article 33.</b></p> | <p>We have asked to assure that if such provisions are kept in, they should only account for newly installed systems.</p> <p>Since the terms 'operated and maintained' and 'used' are used in (2) and (1), it is not clear to us that the directive has the exiting systems not in scope, as COM stated during the WPE.</p> <p>To assure clarity, we ask to clear state this in the article or as a minimum take this up in the corresponding recital.</p> |
| <p>3. <b>[NEW]</b> Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, <del>where individual systems are used</del> are registered in a public <b>national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local</b> level.</p>                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

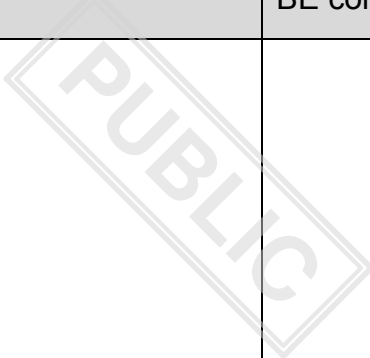


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | BE proposal | BE comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for establishing minimum requirements <del>on</del> for:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2</del> <b>3, on the basis of a risk-based approach second subparagraph.</b></p> <p><b>The Commission will provide the requirements by <u>[24 months from the entry into force of this Directive]</u>.</b></p>                                                                                                                    |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p><b>45.</b> Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>© demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                     | BE proposal | BE comments |
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| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive.</b></p> |             |             |

## ARTICLE 5 – INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                  | BE proposal | BE comments                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                                                                                        |             | See separate documents with 2 options for a different and more proportionate approach on urban runoff. |
| <p>(3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'</p>                                                                                                       |             |                                                                                                        |
|                                                                                                                                                                                                                                  |             |                                                                                                        |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                                                                              |             |                                                                                                        |
| <p>(7); (8)</p>                                                                                                                                                                                                                  |             |                                                                                                        |
|                                                                                                                                                                                                                                  |             |                                                                                                        |
| <p>1. By 31 December <del>2030</del> <b>2035</b>, Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of</b> 21imples21zation of 100 000 p.e. and above.</p> |             |                                                                                                        |
|                                                                                                                                                                                                                                  |             |                                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BE proposal                                                                         | BE comments |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <b>flow</b> conditions;</p> <p>© <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | BE proposal | BE comments |
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| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 |             |             |
|                                                                                                                                                                                                                          |             |             |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |             |             |
|                                                                                                                                                                                                                          |             |             |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |             |             |
|                                                                                                                                                                                                                          |             |             |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BE proposal | BE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>© determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive.</b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six</b> 5 years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(11) 'secondary treatment'</p>                                                         |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | BE proposal | BE comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>1. <del>For agglomerations of 2 000 p.e. and above, Member States shall ensure that urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</del></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on [please insert the date = date if entry into force of this directive]; the obligations set out in the first paragraph shall not apply until 31 December 2030.</del></p> <p><del>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the on [please insert the date = date if entry into force of this Directive] and fifteen years in the case of Madeira after the entry into force of this Directive.</del></p> |             |             |

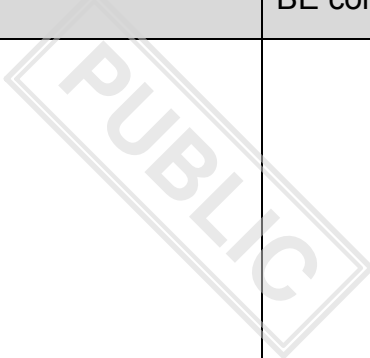
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE proposal | BE comments |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to <del>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |             |             |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                     |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | BE proposal | BE comments |
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| 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. |             |             |
|                                                                                                                                                                                                                  |             |             |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | BE proposal | BE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (16)                                                                               |             |             |
|                                                                                    |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal                                                                         | BE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  |             |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources</u>, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, <u>produced at national level, on or off-site</u>, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, <u>based on the results of the audits referred to in paragraph 1.</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>© 100 % of the total annual energy used by such plants by 31 December 2040<sub>1</sub></p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources</u>, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, <u>produced at national level, on or off-site</u>, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, <u>based on the results of the audits referred to in paragraph 1.</u></p> <p><u>This energy will be produced from urban wastewater plant resources, on or off-site.</u></p> <p><u>A maximum of 25% of energy may be <del>produced or</del> purchased from external renewable sources <u>unless the outcome at national level of the audits demonstrate that the % can not be reached to comply with the targets in the X paragraph</u></u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>© 100 % of the total annual energy used by such plants by 31 December 2040<sub>1</sub></p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment</u></p> | <p>In the second paragraph of point 2, it is now stated the renewable energy produced on site should be produced by urban wastewater resources. This means that other sources such as solar or wind energy are ruled out. This is not acceptable for BE purely from a technical point of view. The carbon load of out waste water is too low to reach this due to the historical choice to impose that industrial waste waters should be treated by the industry themselves and can not be discharged in the sewers. We absolutely need to be able to take into account the other renewable sources at plant level as foreseen in the initial COM-proposal and as suggested by the recital.</p> <p>The 25 % is in accordance to our estimation to strict. We can support keeping the ambition high but see a need to make a link with the outcome of the audits.</p> |
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| New text proposal_Clusters1,3,5 | BE proposal                                                                         | BE comments |
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|                                 | <del>plants referred to in points (a), (b) and (c) of the first subparagraph.</del> |             |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | BE proposal | BE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |             |             |
|                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |             |             |
| (18)                                                                                                                                                                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |             |             |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | BE proposal | BE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
| (3) 'non-domestic wastewater'                                                      |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (19)                                                                               |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal                                                                                                                                                                                                                                                                                                                                 | BE comments                                         |
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| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules regulations and/or</del> specific authorisations by the competent authority <del>or appropriate body</del>.</p> <p><del>Those general binding rules prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</del></p> <p><del>Where general binding rules regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants,</del> Member States shall ensure that the competent authority <del>or appropriate body</del>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>© <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> | <p>c) Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater <b>plants</b> into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</p> | <p>1 c – the word ‘ plants’ seems to be missing</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                             |                                                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | BE proposal | BE comments |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>© treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>© the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
| <p>3. The <b>general binding rules regulations and</b> specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |

<sup>15</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | BE proposal | BE comments |
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| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></b></p> |             |             |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | BE proposal | BE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
| (3) 'non-domestic wastewater'                                                      |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (21)                                                                               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | BE proposal | BE comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p><b>1.</b> Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.</p>                                                                                                                                                                                                                                                                    |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p><b>2.</b> The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>16</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |             |             |

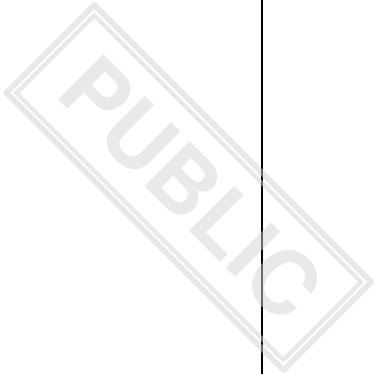
## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                           | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |

<sup>16</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).



| New text proposal_Clusters1,3,5                                              | BE proposal | BE comments |
|------------------------------------------------------------------------------|-------------|-------------|
| (21) 'antimicrobial resistance'                                              |             |             |
|                                                                              |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |             |             |
| (22); (23)                                                                   |             |             |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>© influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>© contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p><del>21. For the purpose of paragraph 1, Member States shall set up a national system for <u>permanent</u> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</del></p> <p><del>(a) the identification of other <u>relevant</u> public health parameters than the ones referred to in paragraph 1 that are to be monitored <u>at least in the inlet of</u> urban wastewater <u>treatment plants</u>, such as those in the following list:</del></p> <p><del>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</del></p> <p><del>(ii) poliovirus;</del></p> <p><del>(iii) influenza virus;</del></p> <p><del>(iv) emerging pathogens;</del></p> <p><del><u>(v) contaminants of emerging concern;</u></del></p> <p><del><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></del></p> <p><del>(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(a), taking into account thus regarding the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</del></p> <p><del>© the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</del></p> |  |  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BE proposal | BE comments |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> And at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> <b>the</b> competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BE proposal | BE comments |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission <del>shall</del> <b>may shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an a</del> uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(14) 'sludge'</p>                                                                      |             |             |
|                                                                                           |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | BE proposal | BE comments |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| 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, <b>preparing for</b> reuse, and recycling and <b>other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in accordance with the procedure referred to in Article 27 <del>to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus and nitrogen from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking</b> in order to take into account available technologies, <b>resources, and economic viability</b> for phosphorus and nitrogen recovery, <del>in sludge and wastewater</del> . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). |             |             |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | BE proposal | BE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | BE proposal | BE comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></b></p> <p>© the <del>destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1);</del> <b>the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of <del>above 10 000 p.e. and above,</del> <b><u>by means of analysis, calculations or modelling where appropriate;</u></b></p> <p>© the <del>greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e</del> <b>and above.</b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> monitor carry out <b>sufficient representative monitoring of sewer</b> the concentration and loads of pollutants from storm water overflows and <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> | <p><del>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system monitor carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and polluted discharges of urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</del></p> | <p>We consider a complete deletion of art 21(2) as appropriate:</p> <ul style="list-style-type: none"> <li>- Art 21(2), as written now, goes further than annex V. Annex V requests an 'estimation' of the load of pollutants released in receiving waters by sewer overflows (and urban runoff) only in agglomeration that are selected to be at risk based on the risk evaluation performed under art. 5(2). Given the impact (both technological and financial), a requirement to model the concentrations and load of pollution for all sewer overflows in all agglomeration of 10.000 p.e. and above cannot be supported</li> <li>- Annex V already prescribes what is to be done with respect to monitoring / modelling to evaluate in more detail the actual risks and impact of sewer overflow on receiving waters.</li> <li>- For urban runoff in separate systems, we refer to the newly proposed approach – see 2 separate documents.</li> </ul> |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>© the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture.</u></b></p> <p><del>4.</del> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraph <del>3</del> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6-7</del> months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and <del>more</del> <b>above</b>;</p> | <p style="text-align: center; font-size: 48px; opacity: 0.3; transform: rotate(-30deg);">PUBLIC</p> | <p>We support the changes. They are in line with our idea's. We do however have a minor remark: Looking again at the new paragraph on the exclusion of pollutants , it could be relevant to assure coherence with the paragraph on the reduction of the monitoring. As written now, there is no provision on the monitoring to motivate the exclusion of pollutants.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | BE proposal | BE comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | BE proposal | BE comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(b) the identification and planning of investments required to implement this Directive for each agglomeration, including an indicative financial estimation and a 45imples45zation of those investments related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>© an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | BE proposal | BE comments |
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| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |

5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:

(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if

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| New text proposal_Clusters1,3,5                                                                                                                    | BE proposal | BE comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |             |             |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | BE proposal | BE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (34)                                                                               |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | BE proposal | BE comments |
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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | BE proposal | BE comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | BE proposal | BE comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| 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.                                                                                                                        |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <del>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.</del> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                            | BE proposal | BE comments |
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| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                               |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <del>5</del> 3. Member States shall ensure that <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |             |             |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | BE proposal | BE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (35)                                                                               |             |             |
|                                                                                    |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BE proposal | BE comments |
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| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
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| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE proposal | BE comments |
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| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |             |             |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | BE proposal | BE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |             |             |
|                                                                                                                  |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |             |             |
| (36)                                                                                                             |             |             |
|                                                                                                                  |             |             |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |             |             |

| New text proposal_Clusters1,3,5                                                                     | BE proposal | BE comments |
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| implementation of the directive on urban wastewater treatment.                                      |             |             |
|                                                                                                     |             |             |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |             |             |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE proposal | BE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | BE proposal | BE comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p>⊕ <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p>⊙ <b>the repetitive or singular character of the infringement</b>;</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | BE proposal | BE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>© relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>© 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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | BE proposal | BE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                        |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |             |             |
|                                                                                                                                                                                                                                        |             |             |
| 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. |             |             |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | BE proposal | BE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |             |             |
|                                                                                                                                                                                                                     |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |             |             |
| (42); (43)                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                     |             |             |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | BE proposal | BE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                           | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
|                                                                                           |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |             |             |
|                                                                                           |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                  | BE proposal | BE comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive].</p> |             |             |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | BE proposal | BE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |             |             |
|                                                                                                                                                                                                   |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |             |             |
|                                                                                                                                                                                                   |             |             |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |             |             |



## ANNEX I 4— REQUIREMENTS FOR URBAN WASTEWATER

## A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater,</b></li> <li>- <b>prevention of inflow and infiltration into the collecting systems,</b></li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |             |             |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | BE proposal | BE comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8</del> in accordance with those Articles shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> .                                                        |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                           | BE proposal            | BE comments                                                             |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|-----------------------------------------------|---------------------------------------------|--|
|                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedial shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such biomedial from being released into receiving waters</b> <del>the environment</del> .                                                             |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
|                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                                            |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
|                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                                                    |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
|                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                                                           |                        |                                                                         |                                             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/><del>40 under</del><br/>Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> |                        | Parameters                                                              | Concentration                               | Minimum percentage of reduction of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br><del>40 under</del><br>Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                                                | Concentration          | Minimum percentage of reduction of reduction (see Note 4) <sup>24</sup> | Reference method of measurement             |                                                                         |                                 |                                       |                        |                                               |                                             |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                                                     | 25 mg/l O <sub>2</sub> | 70-90<br><del>40 under</del><br>Article 4 (2)                           | Homogenized, unfiltered, undecanted sample. |                                                                         |                                 |                                       |                        |                                               |                                             |  |

<sup>24</sup>— Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | BE proposal | BE comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC      |             |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |             |             |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |             |             |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |             |             |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BE proposal                                               | BE comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                | <div>PUBLIC</div>                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                           |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4 : Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr></table> | Table 4 : Requirement for samples                         |             | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 |  |  |
| Table 4 : Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                           |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Maximum permitted number of samples which fail to conform |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 4                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 5                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 6                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 7                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 8                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 9                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 10                                                        |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 11                                                        |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 12                                                        |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                           |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | BE proposal | BE comments |
|---------------------------------|----|-------------|-------------|
| 156-171                         | 13 | PUBLIC      |             |
| 172-187                         | 14 |             |             |
| 188-203                         | 15 |             |             |
| 204-219                         | 16 |             |             |
| 220-235                         | 17 |             |             |
| 236-251                         | 18 |             |             |
| 252-268                         | 19 |             |             |
| 269-284                         | 20 |             |             |
| 285-300                         | 21 |             |             |
| 301-317                         | 22 |             |             |
| 318-334                         | 23 |             |             |
| 335-350                         | 24 |             |             |
| 351-365                         | 25 |             |             |

C. **PRIOR REGULATIONS AND/OR** SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>© the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>© the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <u>good ecological status or potential or good chemical</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |             |             |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | BE proposal | BE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |             |             |
|                                                                                                                                                                             |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |             |             |
| (12)                                                                                                                                                                        |             |             |
|                                                                                                                                                                             |             |             |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | BE proposal                                                                     | BE comments                                |                           |                                                                    |                                                  |                                                                                 |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------|---------------------------|--------------------------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                       |                                                                                 |                                            |                           |                                                                    |                                                  |                                                                                 |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                 |                                            |                           |                                                                    |                                                  |                                                                                 |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                    |                                                                                 |                                            |                           |                                                                    |                                                  |                                                                                 |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                 |                                            |                           |                                                                    |                                                  |                                                                                 |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/>to 99 999 p.e.:</td><td>One sample per week<br/>For micropollutants, two samples per <b>week month</b>.</td></tr></table> | — 1000 to 9 999 p.e.:                                                           | One sample per month ( <b>see Note 1</b> ) | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br>to 99 999 p.e.: | One sample per week<br>For micropollutants, two samples per <b>week month</b> . |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | One sample per month ( <b>see Note 1</b> )                                      |                                            |                           |                                                                    |                                                  |                                                                                 |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Two samples per month<br>For micropollutants, one sample per month              |                                            |                           |                                                                    |                                                  |                                                                                 |  |  |
| — 50 000 p.e. <b>or above</b><br>to 99 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per <b>week month</b> . |                                            |                           |                                                                    |                                                  |                                                                                 |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | BE proposal | BE comments |
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| <div data-bbox="165 205 781 339"> <div>— 100.000 p.e. or over:</div> <div>One <del>Two</del> samples per day <del>week</del></div> <div>For <del>micropollutants, two</del> <del>one</del> sample per week</div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>© for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                       | BE proposal | BE comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <b>flow conditions</b> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |             |             |
|                                                                                                                                                                                                                                                                       |             |             |
| 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.                                             |             |             |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | BE proposal | BE comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |             |             |
|                                                                                                                                                                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                    |             |             |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                           | BE proposal | BE comments |
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| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |             |             |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal | BE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br><br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal | BE comments |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>shall</b> <del>should</del> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <del>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</del></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> <del>of receiving waters</del>;</p> <p>© <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BE proposal | BE comments |
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| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>© 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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |             |             |

**BELGIUM****ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS**

| New text proposal_Cluster_1                                                                                                                                                                                                                  | BE proposal | BE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                           |             |             |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                                          |             |             |
|                                                                                                                                                                                                                                              |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                 |             |             |
| (7); (8)                                                                                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                              |             |             |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area of</u></b> agglomerations <del>s</del> of 100 000 p.e. and above. |             |             |
|                                                                                                                                                                                                                                              |             |             |

| New text proposal_Cluster_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water overflow</del> or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water overflow</del> represents more than <del>4%-3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow conditions</del>;</p> <p>(c) <del>sewer storm-water overflow</del> or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>1</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>2</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>3</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water overflow</del> <b>or</b> <del>polluted discharges of urban runoff discharges</del> poses a risk to the environment or human health;</p> <p>(b) <b>Domestic and non-domestic wastewater load spilled to the environment via sewer storm-water overflow</b> represents more than <del>4%-3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow conditions</del>;</p> <p>(c) <del>sewer storm-water overflow</del> <b>or</b> <del>polluted discharges of urban runoff discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>4</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>5</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>6</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>We are concerned on the foreseen approach on urban runoff in the text proposals for the UWWTD-recast. Both the risk connected to sewer overflows and polluted urban runoff are addressed within the scope of article V and annex V. We consider the provisions under art 5 and annex V disproportionate for separate urban runoff systems taking in to account the in our view different environmental impact of both flows of pollution towards receiving waters.</p> |



| New text proposal_Cluster_1                                                                                                                                                                                              | BE proposal | BE comments |
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|                                                                                                                                                                                                                          |             |             |
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations referred to in paragraph 2</u> |             |             |
|                                                                                                                                                                                                                          |             |             |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |             |             |
|                                                                                                                                                                                                                          |             |             |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |             |             |
|                                                                                                                                                                                                                          |             |             |

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<sup>1</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>2</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>3</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>4</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>5</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>6</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Cluster_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal | BE comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive.</b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six</b> 5 years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |

## ARTICLE 21 – MONITORING

| New text proposal_Cluster_1                                                               | BE proposal | BE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
|                                                                                           |             |             |

| New text proposal_Cluster_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | BE proposal | BE comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, <u>and 2</u> and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></b></p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1);</del> <b>the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, <u>by means of analysis, calculations or modelling where appropriate;</u></b></p> <p>(e) <del>the greenhouse gases <u>methane</u> produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e</del> <b>and above.</b></p> |             |             |
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| New text proposal_Cluster_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system monitor carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and <u>polluted discharges</u> of urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> | <p><del>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system monitor carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and polluted discharges of urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</del></p> | <p>We consider a complete deletion of art 21(2) as appropriate:</p> <ul style="list-style-type: none"> <li>- Art 21(2), as written now, goes further that annex V. Annex V request an 'estimation' of the load of pollutants released in receiving waters by sewer overflows (and urban runoff) only in agglomeration that are selected to be at risk based on the risk evaluation performed under art. 5(2). Given the impact (both technological and financial), a requirement to model the concentrations and load of pollution for all sewer overflows in all agglomeration of 10.000 p.e. and above cannot be supported</li> <li>- Annex V already prescribes what is to be done with respect to monitoring / modelling to evaluate in more detail the actual risks and impact of sewer overflow on receiving waters.</li> <li>- For urban runoff in separate systems, we refer to the newly proposed approach – new 21 (3)</li> </ul> |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>7</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>8</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture.**

**4.** The monitoring referred to in ~~the first and second sub~~ **this** paragraph ~~3~~ shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more~~ **above**;

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| New text proposal_Cluster_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BE proposal | BE comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph</u></b> may be halved in subsequent years if the monitoring results for the pollutants referred to in <b><u>this paragraph 3</u></b> are below <b><u>standards applicable Environmental Quality Standards</u></b> under Directive 2008/105/EC <b><u>or below detection limits or below limits of quantification</u></b> during the first three <b><u>successive</u></b> years of the monitoring. The monitoring frequency should be reviewed at least every year.</p> <p><b><u>5.</u></b> 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 <b><u>greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge.</u></b> <b><u>The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |             |             |

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- 7 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 8 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).

| New text proposal_Cluster_1 | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                             | <p><b>3. Member States shall put in place monitoring requirements with regard to the potential presence of the substances listed in paragraphs 1 and 2 of this article in urban runoff discharged from separate urban runoff systems at relevant points in agglomerations of 10.000 p.e. and above where urban runoff is expected to be polluted in such a way that its discharge into receiving waters can be considered as a risk to the environment or human health.</b></p> <p><b>Based on the outcome of this monitoring, Member States shall ensure that measures to reduce the pollution from urban runoff discharges are considered and that relevant and feasible measures, taking in to account the cost-benefit principle, are identified.</b></p> <p><b>Where appropriate, these measures shall be included in the programmes of measures referred to in Article 11 of the Directive 2000/60/EC.</b></p> | <p>In this proposal we use the concept of the watch list approach under art 13 of the new drinking water directive.</p> <p>We make reference to the substances listed in paragraph 1 and 2. If deemed relevant, an implementing act to identify a list the pollutants of concern linked to urban runoff, can be included here.</p> <p>We focus on the identification of measures to reduce pollution for urban runoff and make reference to the programme of measure under the water framework directive.</p> <p>Flexibility is needed on who will be the responsible party for taking the measures. It is not per definition the operator of the collecting system for urban runoff who will be made responsible.</p> |

5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:

(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if

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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |  |  |
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## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p>1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:</p> <p>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p> | <p>1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:</p> <p>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>b) a dynamic analysis of the flows <del>of urban runoff, polluted urban runoff and</del> urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants relevant pollutants listed in article 21 (3 a)</b> released in receiving waters in case of rainfall;</p> | <p>We ask to delete 'separate' urban runoff since we consider the provisions under art 5 and annex V disproportionate for separate urban runoff systems. Urban runoff can only be in scope when it concerns combined sewers and thus relevant to solve problems with combined sewer overflows. We recognize that there can be risks connected to discharge of urban runoff into rivers but we consider it to be rather disproportionate to ask for an approach similar to that for the reduction of storm water overflows on separate of combined waste water systems. Including separate runoff would impact the policy on separate sewers and a focus on local infiltration of rainwaters from roof, roads etc.</p> <p>To avoid unclarity on 'relevant micropollutants' we propose to refer to the same list of pollutants listed in art 21 (3 a). It can be assumed that those are the main pollutants of concern.</p> <p>If other micropollutants then the ones listed in art 21(3 a) are envisaged here, it seems that an implementing act is required with a mandate for COM to identify the compounds of concern.</p> |

| New text proposal_Clusters_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | BE comments                                                                                                                                                                                                                                                                                                        |
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| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <u><b>polluted discharges of</b></u> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated discharges of urban runoff</del> through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters;</b></p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> | <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <u><b>polluted discharges of urban runoff discharges</b></u>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> <b>domestic and non-domestic wastewater load spilled to the environment via sewer</b> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) <b>the progressive reduction of pollution load from</b> <del>elimination of untreated discharges of urban runoff</del> <b>through separate sewers collection networks, unless it can be demonstrated that those discharges do not cause adverse impacts on the water quality requirements of other Union legislation of receiving waters;</b></p> <p>(c) <b>the progressive reduction of</b> macroplastics in sewer overflow <b>and discharges of urban runoff.</b></p> | <p>However we do recognize that separate systems of urban runoff can contain of significant load of pollution. We would therefore support the inclusion of an obligation for orientational focused monitoring on urban runoff water on the basis on a watch list approach. See art 21 for a concrete proposal.</p> |
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| <p>3. The measures to be taken to achieve the objectives referred to in point 2 accompanied with a clear identification</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                    |

| New text proposal_Clusters_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | BE proposal | BE comments |
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| of the actors involved and their responsibilities in the <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |             |             |

**BELGIUM****ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS**

| New text proposal_Clusters 1                                                                                                                                                                                                                 | BE proposal | BE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                           |             |             |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                                          |             |             |
|                                                                                                                                                                                                                                              |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                 |             |             |
| (7); (8)                                                                                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                              |             |             |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area of</u></b> agglomerations <del>s</del> of 100 000 p.e. and above. |             |             |
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| New text proposal_Clusters 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> <b>conditions</b>;</p> <p>(c) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>1</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>2</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>3</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water</del> overflow <del>or</del> <b><u>polluted discharges of urban runoff</u></b> <b><u>discharges</u></b> poses a risk to the environment or human health;</p> <p>(b) <b>Domestic and non-domestic wastewater load spilled to the environment via</b> <del>sewer storm-water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> <b>conditions</b>;</p> <p>(c) <del>sewer storm-water</del> overflow <del>or</del> <b><u>polluted discharges of urban runoff</u></b> <b><u>discharges</u></b> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>4</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>5</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>6</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>We are concerned on the foreseen approach on urban runoff in the text proposals. Both the risk connected to sewer overflows and polluted urban runoff are addressed within the scope of article V and annex V at the same level. We consider the provisions under art 5 and annex V disproportionate for separate urban runoff systems taking in to account the in our view different environmental impact of both flows of pollution towards receiving waters.</p> <p>We propose a differentiated approach where the pollution in urban runoff and its management is addressed more proportionally to its risk and thus different from the approach taken for sewer overflows by which we lose a load of pollution that we aim to treat under this directive.</p> |

| New text proposal_Clusters 1                                                                                                                                                                                             | BE proposal                                                                                                                                                                                                                                                            | BE comments |
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|                                                                                                                                                                                                                          | <b>3. Member states shall identify relevant points in agglomerations of 10.000 p.e. and above where urban runoff is expected to be polluted in such a way that its discharge into receiving waters can be considered as a risk to the environment or human health.</b> |             |
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations referred to in paragraph 2</u> | <b>3 4.</b> By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations referred to in paragraph 2</u>                                      |             |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                        |             |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    | <b>4-5.</b> Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                                                         |             |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                        |             |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                                                                                                                                                                                                                                                                        |             |

<sup>1</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>2</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>3</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>4</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>5</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>6</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | BE proposal | BE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 6. The Commission is empowered to adopt implementing acts to:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive</b>.</p> |             |             |
| 7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six</b> 5 years after their establishment and updated where necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |

## ARTICLE 21 – MONITORING

| New text proposal_Cluster 1                                                        | BE proposal | BE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |

| New text proposal_Cluster 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | BE proposal | BE comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
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| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></b></p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e</del> <b>and above.</b></p> |             |             |



| New text proposal_Cluster 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system monitor carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and <u>polluted discharges</u> of urban runoff <u>discharged</u> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> | <p><del>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system monitor carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and polluted discharges of urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</del></p> | <p>We consider a complete deletion of art 21(2) as appropriate:</p> <ul style="list-style-type: none"> <li>- Art 21(2), as written now, goes further that annex V. Annex V request an 'estimation' of the load of pollutants released in receiving waters by sewer overflows (and urban runoff) only in agglomeration that are selected to be at risk based on the risk evaluation performed under art. 5(2). Given the impact (both technological and financial), a requirement to model the concentrations and load of pollution for all sewer overflows in all agglomeration of 10.000 p.e. and above cannot be supported</li> <li>- Annex V already prescribes what is to be done with respect to monitoring / modelling to evaluate in more detail the actual risks and impact of sewer overflow on receiving waters.</li> <li>- For urban runoff in separate systems, we refer to the newly proposed approach – new 21 (3)</li> </ul> |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>7</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>8</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture.**

~~4.~~ The monitoring referred to in ~~the first and second sub~~ **this** paragraph ~~3~~ shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more~~ **above**;

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| New text proposal_Cluster 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | BE proposal | BE comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph</u></b> may be halved in subsequent years if the monitoring results for the pollutants referred to in <b><u>this paragraph 3</u></b> are below <b><u>standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification</u></b> during the first three <b><u>successive</u></b> years of the monitoring. The monitoring frequency should be reviewed at least every year.</p> <p><b><u>5.</u></b> 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 <b>greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</b></p> |             |             |

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- 7 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 8 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).

| New text proposal_Cluster 1 | BE proposal | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                             |             | <p>In this proposal we use the concept of the watch list approach under art 13 of the new drinking water directive.</p> <p>We make reference to the substances listed in paragraph 1 and 2. If deemed relevant, an implementing act to identify a list the pollutants of concern linked to urban runoff, can be included here.</p> <p>We focus on the identification of measures to reduce pollution for urban runoff and make reference to the programme of measure under the water framework directive.</p> <p>Flexibility is needed on who will be the responsible party for taking the measures. It is not per definition the operator of the collecting system for urban runoff who will be made responsible.</p> |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters_1                                                       | BE proposal | BE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <p>1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:</p> <p>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>(b) a dynamic analysis of the flows of urban runoff, <b>polluted urban runoff</b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p> | <p>1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:</p> <p>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>(b) a dynamic analysis of the flows <b>of urban runoff, polluted urban runoff and</b> urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants relevant pollutants listed in article 21 (3a)</b> released in receiving waters in case of rainfall;</p> | <p>We ask to delete 'separate' urban runoff since we consider the provisions under art 5 and annex V disproportionate for separate urban runoff systems. Urban runoff can only be in scope when it concerns combined sewers and thus relevant to solve problems with combined sewer overflows. We recognize that there can be risks connected to discharge of urban runoff into rivers but we consider it to be rather disproportionate to ask for an approach similar to that for the reduction of storm water overflows on separate of combined waste water systems. Including separate runoff would impact the policy on separate sewers and a focus on local infiltration of rainwaters from roof, roads etc. often with clear environmental benefits (flood reduction, drought resilience, etc)</p> <p>To avoid unclarity on 'relevant micropollutants' we propose to refer to the same list of pollutants listed in art 21 (3 a). It can be assumed that those are the main pollutants of concern.</p> <p>If other micropollutants then the ones listed in art 21(3 a) are envisaged here, it seems that an implementing act is required with a mandate for COM to identify the compounds of concern.</p> |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b>polluted discharges of</b> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <b>only no more than 1 % a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p>                                                                                                                                                                                                                                                                                                                                                                                                               | <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows <b>and polluted discharges of urban runoff discharges</b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> <b>domestic and non-domestic wastewater load spilled to the environment via sewer</b> overflow; represents <b>only no more than 1 % a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| New text proposal_Clusters_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | BE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | BE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>(i) 31 December 2035 <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December 2040 <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from elimination of untreated</b> discharges of urban runoff through separate <b>sewerscollection networks</b>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</p> | <p>This indicative <del>target</del> <b>indicative</b> objective shall <b>should</b> be met by:</p> <p>(i) 31 December 2035 <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December 2040 <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) <b>the progressive reduction of pollution load from elimination of untreated discharges of urban runoff through separate sewerscollection networks, unless it can be demonstrated that those discharges do not cause adverse impacts on the water quality requirements of other Union legislation of receiving waters;</b></p> <p><b>(c b) the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>3. Monitoring requirements with regard to the potential presence of the substances listed in paragraphs 1 and 2 of article 21 in urban runoff discharged from separate urban runoff systems where urban runoff is expected to be polluted in such a way that its discharge into receiving waters can be considered as a risk to the environment or human health.</b></p> <p><b>The identification of relevant and feasible measures, taking in to account the cost-benefit principle, to reduce the pollution from urban runoff discharges based on the outcome of this monitoring.</b></p> <p><b>Where appropriate, these measures can be included in the programmes of measures referred to in Article 11 of the Directive 2000/60/EC.</b></p>                                                                            | <p>We do recognize that separate systems of urban runoff can contain of significant load of pollution. We would therefore support the inclusion of an obligation for orientational focused monitoring on urban runoff water on the basis of wich measures to reduce the pollution from urban runoff discharges are identified.</p> <p>We make reference to the substances listed in paragraph 1 and 2 of article 21. If deemed relevant, an implementing act to identify a list the pollutants of concern linked to urban runoff, can be included here.</p> <p>We focus on the identification of measures to reduce pollution for urban runoff and make reference to the programme of measure under the water framework directive.</p> <p>Flexibility is needed on who will be the responsible party for taking the measures. It is not per definition the operator of the collecting system for urban runoff who will be made</p> |

| New text proposal_Clusters_1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | BE proposal | BE comments                                                                                                                                  |
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| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                                                                                                                                              |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |             |                                                                                                                                              |

## **BULGARIA**

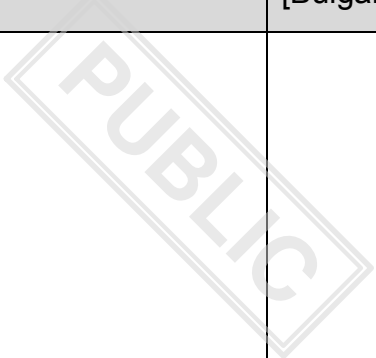
### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal | [Bulgaria] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------------|
| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                     |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                   |                     |



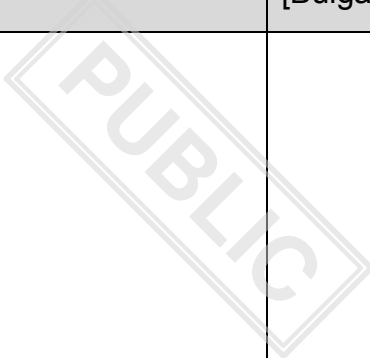
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bulgaria proposal | [Bulgaria] comments |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                     |
| (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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised</del> <del>collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.                                                                                                                                                                       |                   |                     |
| (6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible</u></b> , or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del> . 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 |                   |                     |

<sup>1</sup> 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).

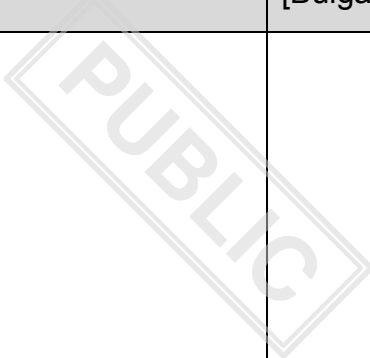
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Bulgaria proposal                                                                   | [Bulgaria] comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                     |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Bulgaria proposal | [Bulgaria] comments |
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| <p><b>(8 bis)</b> 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. <u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></p>                                                                                                                                                                                                                 |                   |                     |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <u>usually</u> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <u>small quantities low concentrations of micrograms per litre or below</u>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                   |                     |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bulgaria proposal                                                                   | [Bulgaria] comments                                                                                                                                                                                                                                                                                                                                              |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |                                                                                                                                                                                                                                                                                                                                                                  |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                                                                                     | <p>When measuring a maximum share of 25% of renewable energy, it is stated "not directly linked to urban waste water treatment activities". We would like to get a clearer idea of what types of activities are meant and ask for examples or clarification in the text of the directive. We also ask for examples and clarifications on "external sources".</p> |

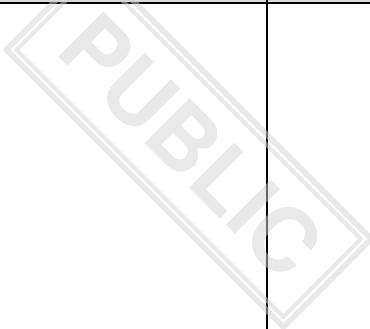
<sup>3</sup> Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bulgaria proposal                                                                   | [Bulgaria] comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is</p> |  |                     |

<sup>4</sup> 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).

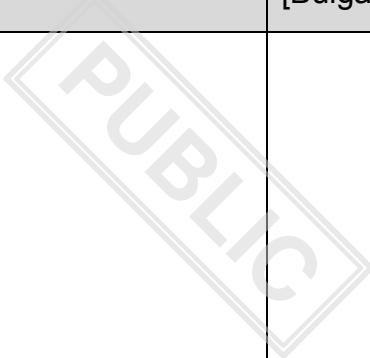
<sup>5</sup> Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond.

<sup>6</sup> 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).

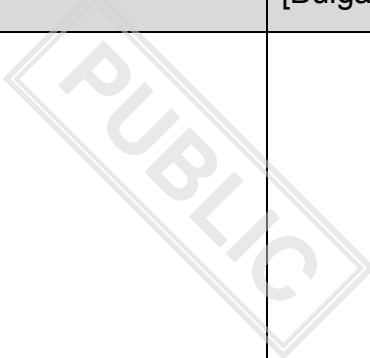
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal                                                                   | [Bulgaria] comments |
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| <p>also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                  |  |                     |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                                                                                     |                     |

<sup>7</sup> 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).

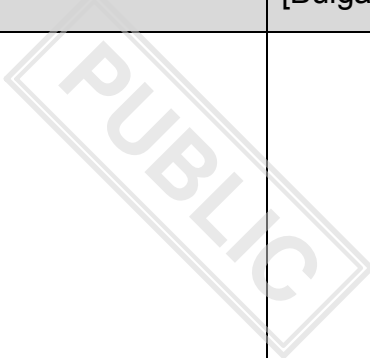
<sup>8</sup> Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Bulgaria proposal                                                                   | [Bulgaria] comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                        |  |                     |
| <p>(18) <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                     |                     |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Bulgaria proposal                                                                   | [Bulgaria] comments |
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| <p>(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.<br/> <b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |                     |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     |                     |
| <p>(36) In order to ensure uniform conditions for the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |                     |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bulgaria proposal                                                                   | [Bulgaria] comments |
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| <p>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, <u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  |                     |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                     |                     |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |                     |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                     | Bulgaria proposal | [Bulgaria] comments |
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| regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity. |                   |                     |
|                                                                                                                                                     |                   |                     |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> 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. |                   |                   |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                   |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                   |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with</b> and <b>either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them</b> ;                                                                                                                                                                                                                                                                                                                      |                   |                   |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and</del> services <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for <del>either the following</del> :<br><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution</del> ;<br>(c) <del>or</del> industrial <b>or economical</b> activities;<br><br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Bulgaria proposal | Bulgaria comments |
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| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with <del>and/or</del> economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above)</del> for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to <b>a one or more</b> final discharge points, <u>into receiving waters</u>;</p> |                   |                   |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del>;</p>                                                                                                                                                                                                                                                                                                        |                   |                   |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <u>including urban runoff</u>; <del>including urban runoff</del>;</p>                                                                                                                                                                                                                                                                                                             |                   |                   |
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p>(a) <del>domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b>;</p> <p>(b) <del>non-domestic</del> <del>wastewater</del> <b><u>non-domestic wastewater</u></b>;</p> <p>(c) <del>a mixture of domestic and non-domestic wastewater</del>;</p> <p>(d) <del>rainwater from agglomerations</del>;</p>                              |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal | Bulgaria comments |
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| (10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del>                                                          |                   |                   |
| (10 bis) [NEW] <b>'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</b> |                   |                   |
| (11) <del>'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process which reduces removes most of biodegradable organic matter in from urban wastewater;</del>                                                                                              |                   |                   |
| (12) <del>'tertiary treatment' means treatment of urban wastewater by a process which reduces removes most of by a process which removes nitrogen and/or phosphorus from the urban wastewaters;</del>                                                                                                                                                            |                   |                   |
| (13) <del>'quaternary treatment' means treatment of urban wastewater by a process which removes reduces a broad spectrum of micropollutants in from the from urban wastewaters;</del>                                                                                                                                                                            |                   |                   |
| (14) <del>'sludge' means any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</del>                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | Bulgaria proposal | Bulgaria comments |
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| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                   |                   |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                   |                   |
| (17) 'dilution ratio' means the ratio <del>of between</del> the <b>last five years average</b> volume of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                         |                   |                   |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                   |                   |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                                    |                   |                   |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |                   |                   |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | Bulgaria proposal | Bulgaria comments |
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| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                   |                   |
| (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; |                   |                   |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                   |                   |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                   |                   |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5</u> in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                    |                   |                   |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | Bulgaria proposal | Bulgaria comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                   |                   |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                   |                   |
|                                                                                                                                                                |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal | Bulgaria comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>1. <del>Unless they justify a derogation under paragraph 4 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e.</del> and above comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of domestic urban wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                                          |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>2. <del>Unless they justify a derogation under paragraph 4 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                   | <p>The proposed deadline for providing a sewage system in the agglomerations between 1000÷2000 population, 2033, with the possibility of extension for another 6 years, is extremely insufficient for Bulgaria to provide a sewage system in the agglomerations of 1000÷2000 PE. We keep concerns about extending the scope including agglomerations from 1000 to 2000 PE.</p> <p>We maintain our proposal of 5.5.2023 that for Bulgaria the deadlines set under Art. 3 are unfeasible, and we propose a deadline not shorter than 2050.</p> <p>In relation to what is stated in Report 10 to the Impact Assessment (SWD(2022) 541 final of 26.10.2022) of the proposal for a Directive, we would like to remind our proposal to encourage further study of the possibility of an individual approach for agglomerations below 2000 PE . depending on the condition of the water intakes. In this way, it will be possible for a more flexible approach in these agglomerations, so that the measures are maximally effective and a benefit-cost ratio of no lower than 1 is achieved. We maintain our proposal from 5.5.2023.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Bulgaria proposal | Bulgaria comments |
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| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
| <p>4 3. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                   |

#### ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                       | Bulgaria proposal | Bulgaria comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |                   |                   |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |                   |                   |
|                                                                                                                                                                       |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                   |                   |                   |
| <p>(4); (5); (6)</p>                                                                                                                                                  |                   |                   |
|                                                                                                                                                                       |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bulgaria proposal | Bulgaria comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally if</del> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban domestic</del> urban wastewaters ('individual systems') are used <b>for in agglomerations of 1 000 p.e. and above.</b></p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                          |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| <p>3. <b>[NEW]</b> Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, <del>where individual systems are used</del> are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local</b> level.</p>                                                                                                                                       |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Bulgaria proposal                                                                   | Bulgaria comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><del>34. The Commission is empowered to adopt delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for establishing minimum requirements on for:</del></p> <p><del>(a) the design, operation, and maintenance of individual system; and</del></p> <p><del>(b) by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>124 months</u> from the entry into force of this Directive.</b></p> |  | <p>Despite the Presidency's proposal, the delegated act in Art. 4.4 to be changed to an implementing act we still remain concerned about the "design, operation and maintenance" included in the scope of this act. We note again that the technical requirements for the design, operation and maintenance of systems and facilities that are part of the constructions have always been entirely within the powers of the Member States, which are responsible for ensuring the basic requirements for the constructions, tied to the specific national and local conditions of application.</p> <p>The requirements for "design, operation and maintenance" are completely dependent on the national conditions of application (climatic, geographical, seismic, social, etc.), which differ between countries. In this regard, we propose as a new paragraph in Art. 4 of the proposal for a directive to include a requirement similar to the requirement of Art. 13, with which to replace the proposal for inclusion in the scope of an implementing act under Art. 4.4 of "design, operation and maintenance", as follows: "Member States shall ensure that the individual systems built to comply with the requirements set out in Articles 6 and 7 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions."</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Bulgaria proposal | Bulgaria comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by {24 months} from the entry into force of this Directive.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | Bulgaria proposal | Bulgaria comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | Bulgaria proposal | Bulgaria comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |                   |                   |
|                                                                                                                                                                                                                                 |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                   |                   |
| (7); (8)                                                                                                                                                                                                                        |                   |                   |
|                                                                                                                                                                                                                                 |                   |                   |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area of</u></b> agglomerations of 100 000 p.e. and above. |                   |                   |
|                                                                                                                                                                                                                                 |                   |                   |

2. By 31 December ~~2025~~ **2027** **2030** Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, **modelling** and state-of-the-art climate projections, one or more of the following conditions apply:

(a) ~~sewer storm water~~ overflow or **polluted discharges of** urban runoff **discharges** poses a risk to the environment or human health;

(b) ~~sewer storm water~~ overflow represents more than ~~1%~~ **3%** of the annual collected urban wastewater load **of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I**, calculated in dry weather ~~flow~~ conditions;

(c) ~~sewer storm water~~ overflow or **polluted discharges of** urban runoff **discharges** prevents the fulfilment of any of the following:

(i) the requirements established under Article 5 of Directive (EU) 2020/2184;

(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;

(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;

(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.

**(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup>**

Member States shall review the list referred to in the first subparagraph every ~~five~~ **six** years after its establishment and update it where necessary.

**Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.**

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| New text proposal_Clusters1,3,5                                                                                                                                                                                          | Bulgaria proposal | Bulgaria comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
|                                                                                                                                                                                                                          |                   |                   |
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations</u> referred to in paragraph 2 |                   |                   |
|                                                                                                                                                                                                                          |                   |                   |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                   |                   |
|                                                                                                                                                                                                                          |                   |                   |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                   |                   |
|                                                                                                                                                                                                                          |                   |                   |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Bulgaria proposal | Bulgaria comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).<br/> <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive.</b></p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | Bulgaria proposal | Bulgaria comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
| <p>(11) 'secondary treatment'</p>                                                         |                   |                   |



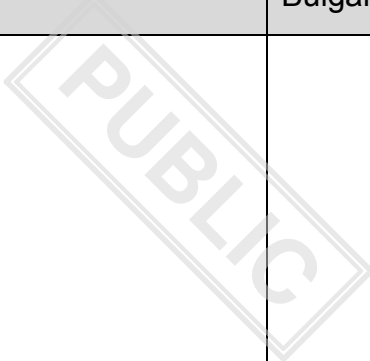
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal | Bulgaria comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                   |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</b> paragraph 3 or an equivalent treatment before discharge into receiving waters.</p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on [please insert the date = date if entry into force of this directive];</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p><del>(b)</del> For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on [please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |                   |                   |

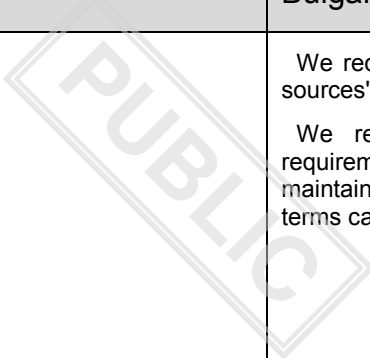
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Bulgaria proposal | Bulgaria comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> <del>urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |                   | <p>The proposed deadline for providing secondary treatment in the agglomerations of 1000+2000 PE, 2033, with the possibility of extension for another 6 years, is extremely insufficient for Bulgaria to provide a sewage system with secondary treatment in the agglomerations of 1000+2000 PE . We retain concerns about extending the range to include agglomerations from 1000 to 2000 PE. We maintain our proposal of 5.5.2023 that for Bulgaria the deadlines set under Art. 6 are unfeasible, as we propose a period not shorter than 2050.</p> |
| <p>3. <del>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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</del></p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                 |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| 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. |                   |                   |
|                                                                                                                                                                                                                  |                   |                   |

# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (16)                                                                               |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bulgaria proposal                                                                   | Bulgaria comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bulgaria proposal                                                                   | Bulgaria comments                                                                                                                                                                                                                                                                 |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040-;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> |  | <p>We request for examples and clarifications on "external sources".</p> <p>We remain concerned about the flexibility of the requirements given the implementation timelines. We maintain our proposal of 5/5/2023 that for Bulgaria these terms cannot be shorter than 2050.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | Bulgaria proposal | Bulgaria comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                     |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                   |                   |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                     |                   |                   |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                   |                   |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
| (3) 'non-domestic wastewater'                                                      |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                   |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                   |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p>Those <del>general binding rules</del> <b>prior</b> regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <del>general binding rules regulations</del> <b>and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |

<sup>15</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Bulgaria proposal | Bulgaria comments |
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| <p>3. The <del>general binding rules</del> <b>regulations</b> and specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><del>The general binding rules</del> <b>regulations</b> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, <del>the provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                   |                   |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | Bulgaria proposal | Bulgaria comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bulgaria proposal | Bulgaria comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part B</b> of Annex I.                                                                                                                                                                                                                                                                      |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                   |                   |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
| (21) 'antimicrobial resistance'                                                    |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (22); (23)                                                                         |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bulgaria proposal                                                                                                                                                                                                                                                | Bulgaria comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>(c) influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>(e) contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 4</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <p>(i) SARS-CoV-2 virus and its variants <b><u>of interest</u></b>;</p> <p>(ii) poliovirus;</p> <p>(iii) influenza virus;</p> <p>(iv) emerging pathogens;</p> <p><b><u>(v) contaminants of emerging concern;</u></b></p> <p><b><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></b></p> <p>(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 4(a), <del>taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(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, <b><u>and in accordance with data protection law.</u></b></p> | <p style="text-align: center; opacity: 0.5; font-size: 100px; transform: rotate(-30deg);">PUBLIC</p> <div data-bbox="1086 1426 1160 1513" data-label="Page-Footer">  </div> | <p>- Regarding the monitoring system under Art. 17(1) we confirm the previously expressed position that it is necessary that these provisions should be a recommendation and not an obligation;</p> <p>- Regarding the term under Art. 17(3), in order for the state to commit to the implementation period, it is necessary to clarify before the adoption of the period details regarding the methodologies for monitoring antimicrobial resistance in wastewater, which are currently unclear and not implemented by the competent authorities</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Bulgaria proposal | Bulgaria comments |
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| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population. and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more.</del> This monitoring shall continue until <del>this</del> <b>the</b> competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider</b> <b>Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bulgaria proposal | Bulgaria comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <b>the</b> Commission shall <del>may</del> <b>shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <b>a</b> uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                   |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | Bulgaria proposal | Bulgaria comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
| <p>(14) ‘sludge’</p>                                                                      |                   |                   |
|                                                                                           |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                   |                   |

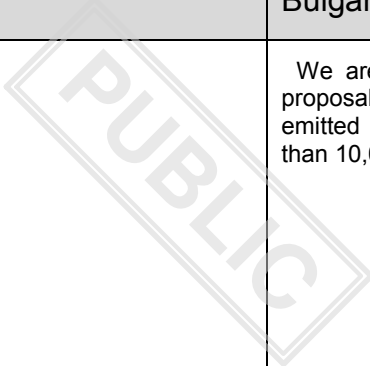
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |
| 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, <b>preparing for reuse, and recycling and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| 2. The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen from wastewater and sludge, and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take into account available technologies, resources, and economic viability</del> for phosphorus <del>and nitrogen recovery, in sludge and wastewater. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</del> |                   |                   |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bulgaria proposal | Bulgaria comments                                                                                                                                                                                                                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                                                                                                                                                                                                                                       |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                                                                                                                                                                                                                                       |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part B of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</del> <b>and; this monitoring shall include including</b> loads and concentrations of the parameters listed in <del>Part B Tables 1, and 2 and 3</del> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></b></p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |                   | <p>We are keeping a general scrutiny reservation on the proposal for monitoring of greenhouse gases and methane emitted by urban wastewater treatment plants for more than 10,000 PE, as well as for monitoring of microplastics.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                                                                                                                                                                                                                                       |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Bulgaria proposal                                                                   | Bulgaria comments                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  | <p>We are keeping a general scrutiny reservation on the proposal for monitoring of greenhouse gases and methane emitted by urban wastewater treatment plants for more than 10,000 PE, as well as for monitoring of microplastics.</p> |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture.**

~~4. The monitoring referred to in the first and second sub~~  
**this** paragraphs ~~3~~ shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6–7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more~~ **above**;

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

**[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable**

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| New text proposal_Clusters1,3,5 | Bulgaria proposal | Bulgaria comments |
|---------------------------------|-------------------|-------------------|
|                                 |                   |                   |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (31)                                                                               |                   |                   |
|                                                                                    |                   |                   |

- 
- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Bulgaria proposal | Bulgaria comments |
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| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| <p>3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                   | Bulgaria proposal | Bulgaria comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b></p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bulgaria proposal                                                                                                                   | Bulgaria comments |
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| <p>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</p> <p>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</p> <ul style="list-style-type: none"> <li>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>(ii) the national implementation programme includes: <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> </li> </ul> <p>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</p> <ul style="list-style-type: none"> <li>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>(ii) the national implementation programme includes: <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> </li> </ul> <p>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)].</p> | <div data-bbox="1182 172 1550 523" data-label="Image"> </div> <div data-bbox="1088 1426 1160 1516" data-label="Page-Footer"> </div> |                   |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
| (34)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                   |
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                   |

| New text proposal_Clusters1,3,5                                                                                               | Bulgaria proposal | Bulgaria comments |
|-------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| 2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged. |                   |                   |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Bulgaria proposal | Bulgaria comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |
| 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.                                                                                                                        |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |
| <del>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.</del> |                   |                   |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal | Bulgaria comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
| <p>3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.</p>                                                                                                                                             |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
| <p><del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del></p>                                                                                              |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
| <p>5 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del>. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1</p> |                   |                   |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                           | Bulgaria proposal | Bulgaria comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| (35)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Bulgaria proposal | Bulgaria comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                   |                   |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                 | Bulgaria proposal | Bulgaria comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| (36)                                                                                                                                                                            |                   |                   |
|                                                                                                                                                                                 |                   |                   |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and implementation of the directive on urban wastewater treatment. |                   |                   |
|                                                                                                                                                                                 |                   |                   |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.                                                                             |                   |                   |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                   | Bulgaria proposal | Bulgaria comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
| 1. <b>Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law</b> , Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Bulgaria proposal | Bulgaria comments |
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| penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del>                                                                                                                                                                                                                                                                                                          |                   |                   |
| 2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:<br><br>(a) the nature, gravity, and extent of the violation <b>infringement</b> ;<br><br><del>(b) the intentional or negligent character of the violation;</del><br><br><del>(c) (b)</del> the population or the environment affected by the violation <b>infringement</b> , bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;<br><br><b>(c) the repetitive or singular character of the infringement;</b> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                   |
| 3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                   |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                   |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                   |                   |
|                                                                                                                                                                                                                                        |                   |                   |
| 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. |                   |                   |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                    | Bulgaria proposal | Bulgaria comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (42); (43)                                                                         |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal | Bulgaria comments |
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| <p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                           | Bulgaria proposal | Bulgaria comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
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| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                   |                   |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                  | Bulgaria proposal | Bulgariq comments |
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| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive].</p> |                   |                   |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                   |                   |
|                                                                                                                                                                                                   |                   |                   |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                   |                   |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                   |                   |

### B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5 | Bulgaria proposal | Bulgaria comments |
|---------------------------------|-------------------|-------------------|
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                              | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                           |                   |                   |
|                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                 |                   |                   |
|                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                         |                   |                   |
|                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in Article 7(1) or serving agglomerations referred to in Article 7(3)</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                |                   |                   |
|                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| 3. Discharges from urban wastewater treatment plants referred to in paragraph 1 <del>and in Article 7(1) or serving agglomerations referred to in Article 7(3) and in Article 8</del> in accordance with those Articles shall, in addition to the requirements referred to in point 2, meet the requirements shown in Table 2 of this Annex. |                   |                   |
|                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> .                            |                   |                   |
|                                                                                                                                                                                                                                                                                                                                              |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                           | Bulgaria proposal      | Bulgaria comments                                                     |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------|---------------------------------|-----------------------------------------------------------------|------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------|--|--|
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such biomedica from being released into receiving waters</b> the environment.                                                                                                                                         |                        |                                                                       |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                                                       |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                                                                                                            |                        |                                                                       |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                                                       |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                                                                                                                    |                        |                                                                       |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                                                       |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                                                                                                                           |                        |                                                                       |                                                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20 °C) without nitrification</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/><del>40 under Article 4 (2)</del><br/><b>40 under Article</b></td><td>Homogenized, unfiltered, undecanted sample. Determination of dissolved</td></tr></table> | Parameters             | Concentration                                                         | Minimum percentage of reduction (see Note 4) <sup>24</sup>             | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 °C) without nitrification | 25 mg/l O <sub>2</sub> | 70-90<br><del>40 under Article 4 (2)</del><br><b>40 under Article</b> | Homogenized, unfiltered, undecanted sample. Determination of dissolved |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                                                                                                                | Concentration          | Minimum percentage of reduction (see Note 4) <sup>24</sup>            | Reference method of measurement                                        |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |
| Biochemical oxygen demand (BOD5 at 20 °C) without nitrification                                                                                                                                                                                                                                                                                                                                                                                           | 25 mg/l O <sub>2</sub> | 70-90<br><del>40 under Article 4 (2)</del><br><b>40 under Article</b> | Homogenized, unfiltered, undecanted sample. Determination of dissolved |                                 |                                                                 |                        |                                                                       |                                                                        |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                                                                                                                     |                         |                 |                                                                                                                                                                                                                                                                                                               | Bulgaria proposal | Bulgaria comments |
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| (see Note 1)                                                                                                                                                                                        |                         | <b>6(3)</b>     | oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                                                      | PUBLIC            |                   |
| Chemical oxygen demand (COD) (See Note 2)                                                                                                                                                           | 125 mg/l O <sub>2</sub> | 75              | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                   |                   |
| Total Organic Carbon (See Note 2)                                                                                                                                                                   | 37 mg/l                 | 75              | EN 1484                                                                                                                                                                                                                                                                                                       |                   |                   |
| Total suspended solids                                                                                                                                                                              | 35 mg/l (see Note 3)    | 90 (see Note 3) | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                   |                   |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen demand (TOD) if a relationship can be established between BOD5 and the substitute parameter. |                         |                 |                                                                                                                                                                                                                                                                                                               |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Bulgaria proposal                                         | Bulgaria comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                           |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                           |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr><tr><td>172-187</td><td>14</td></tr></table> | Table 4: Requirement for samples                          |                   | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 | 172-187 | 14 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                           |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Maximum permitted number of samples which fail to conform |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 3                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 5                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 6                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 7                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 8                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 9                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 10                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 11                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 12                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 13                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |
| 172-187                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 14                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | Bulgaria proposal | Bulgaria comments |
|---------------------------------|----|-------------------|-------------------|
| 188-203                         | 15 | PUBLIC            |                   |
| 204-219                         | 16 |                   |                   |
| 220-235                         | 17 |                   |                   |
| 236-251                         | 18 |                   |                   |
| 252-268                         | 19 |                   |                   |
| 269-284                         | 20 |                   |                   |
| 285-300                         | 21 |                   |                   |
| 301-317                         | 22 |                   |                   |
| 318-334                         | 23 |                   |                   |
| 335-350                         | 24 |                   |                   |
| 351-365                         | 25 |                   |                   |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> set in accordance with Article 15(3) of that Directive and any additional measures taken in</p> |                   |                   |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Bulgaria proposal | Bulgaria comments |
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| <p>accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                   |                   |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | Bulgaria proposal | Bulgaria comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                              |                   |                   |
|                                                                                                                                                                                                                                 |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                   |                   |
| (12)                                                                                                                                                                                                                            |                   |                   |
|                                                                                                                                                                                                                                 |                   |                   |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with minimum performance criteria as the ones defined in</b> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Bulgaria proposal                                                                          | Bulgaria comments                        |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------------------------------------|--------------------------|--------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------|------------------------------------------------|--|--|
| <p><b>the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                                                                                                                                                                     |                                                                                            |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                            |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                                                                                                                              |                                                                                            |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                            |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month <b>(see Note 1)</b></td></tr><tr><td>— 10 000 to 49 999 p.e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/>to 99 999 p.e.:</td><td>One sample per week<br/>For micropollutants, two samples per <del>week</del> <b>month</b>.</td></tr><tr><td>— 100.000 p.e. or over:</td><td>One <del>Two</del> samples per day <b>week</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                                      | One sample per month <b>(see Note 1)</b> | — 10 000 to 49 999 p.e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br>to 99 999 p.e.: | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . | — 100.000 p.e. or over: | One <del>Two</del> samples per day <b>week</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | One sample per month <b>(see Note 1)</b>                                                   |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| — 10 000 to 49 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month                         |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| — 50 000 p.e. <b>or above</b><br>to 99 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| — 100.000 p.e. or over:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | One <del>Two</del> samples per day <b>week</b>                                             |                                          |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                | Bulgaria proposal | Bulgaria comments |
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| <div></div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | For micropollutants, <del>two</del> <b>one</b> sample per week | <div></div>       |                   |
| <b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |                   |                   |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |                                                                |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |                   |                   |
| 5. The samples shall be taken so that they reflect the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                           | Bulgaria proposal | Bulgaria comments |
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| pollution during dry weather <b>flow conditions</b> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain.            |                   |                   |
|                                                                                                                                                                                                                           |                   |                   |
| 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. |                   |                   |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                    | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                 |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                       |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                    |                   |                   |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages<br>8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin |                   |                   |

| New text proposal_Clusters1,3,5                              | Bulgaria proposal | Bulgaria comments |
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| and bones<br>10. Malt-houses<br>11. Fish-processing industry |                   |                   |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Bulgaria proposal | Bulgaria comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                   |
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| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following: <ul style="list-style-type: none"> <li>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</li> <li>(b) a dynamic analysis of the flows of urban runoff, <b>polluted urban runoff</b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and</li> </ul> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Bulgaria proposal | Bulgaria comments |
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| including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| 2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b>polluted discharges of</b> urban runoff <del>discharges</del> , including the following:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                   |
| <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>shall</b> <del>shall</del> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <del>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</del></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> <del>of receiving waters</del>;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                   |                   |
| 3. The measures to be taken to achieve the objectives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Bulgaria proposal | Bulgaria comments |
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| referred to in point 2 accompanied with a clear identification of the actors involved and their responsibilities in the <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                   |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                   |                   |

## CZECH REPUBLIC

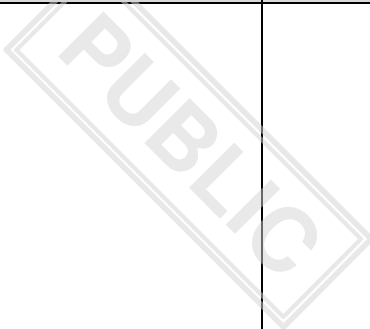
### RECITALS

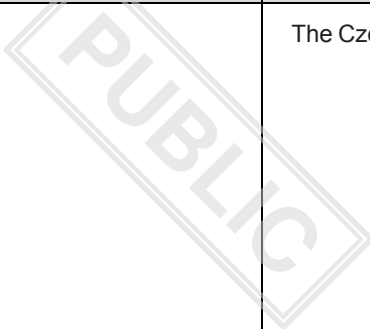
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments                                                               |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                         |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                           | <p>The Czech Republic agrees with the adjustments and with the newly proposed text.</p> |



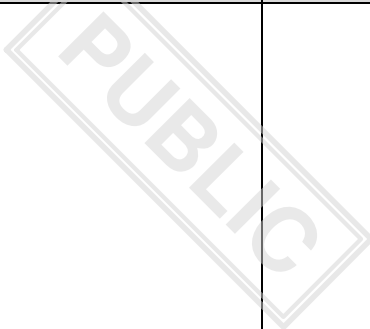
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments                                                        |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                                                                  |
| (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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.                                                                                                                                                                                 |                           | The Czech Republic agrees with the adjustments and with the newly proposed text. |
| (6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del> . 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 |                           | The Czech Republic agrees with the adjustments and with the newly proposed text. |

<sup>1</sup> 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).

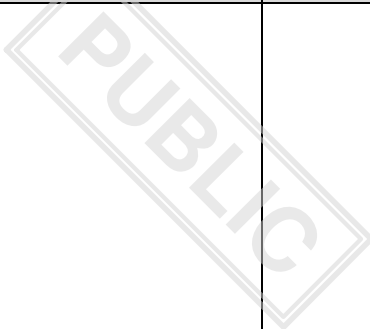
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                           | [Insert MS name] comments                                      |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     | <p>The Czech Republic agrees with the newly proposed text.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                           | [Insert MS name] comments                                               |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                        |  | <p>The Czech Republic agrees with the newly proposed text.</p>          |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <b><u>small quantities low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                                                                                     | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                           | [Insert MS name] comments                                      |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |                                                                |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                                                                                     | <p>The Czech Republic agrees with the newly proposed text.</p> |

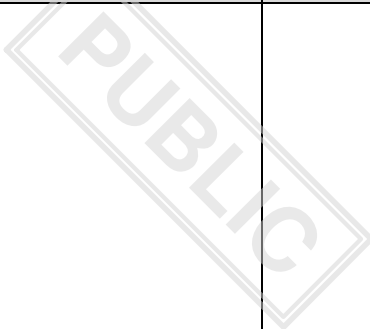
<sup>3</sup> Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> |  |                           |

<sup>4</sup> 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).

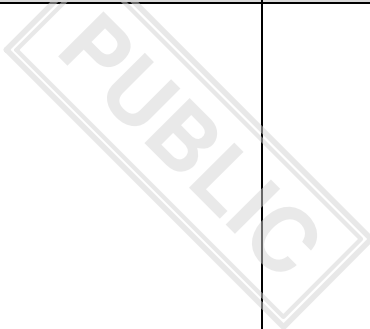
<sup>5</sup> Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond.

<sup>6</sup> 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).

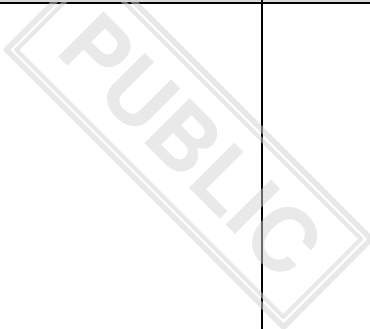
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                           | [Insert MS name] comments                                               |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |  |                                                                         |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                                                                                     | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

<sup>7</sup> 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).

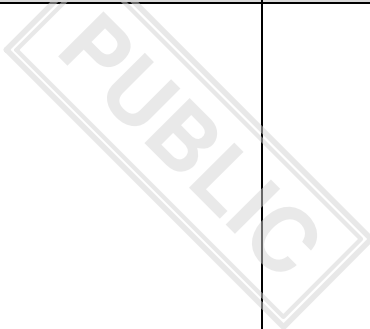
<sup>8</sup> Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                           | [Insert MS name] comments                                               |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |  |                                                                         |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                     | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| <p>(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     | <p>The Czech Republic agrees with the newly proposed text.</p>          |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                               |
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| <p>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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                                                                         |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     | <p>The Czech Republic agrees with the adjustments and with the newly proposed text.</p> |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     | <p>The Czech Republic agrees with the adjustments made to the text.</p>                 |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                           | [Insert MS name] comments                                      |
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| <p>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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  |                                                                |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |                                                                |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     | <p>The Czech Republic agrees with the newly proposed text.</p> |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| these territories, special attention should be given to the difficult topography and insularity. |                           |                           |
|                                                                                                  |                           |                           |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                       |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                                                                                       |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                       |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <u>to sustainable levels</u> 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. |                           | The Czech Republic agrees with the adjustments made to the text. It requires this adjustment to be made in similar contexts throughout the directive. |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                       |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                       |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del>                                                                                                                                                                                                                                                                                                                            |                           | The Czech Republic agrees with the adjustments made to the text. It emphasizes the need to use uniform terminology throughout the text of the directive and carry out detailed language proofreading. |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services</del> <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                                                   |                           | The Czech Republic agrees with the adjustments made to the text.                                                                                                                                      |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for <del>either the following:</del><br><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution;</del><br>(c) <del>or industrial</del> <b>or economical</b> activities;<br><br><u><del>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</del></u> |                           | The Czech Republic agrees with the adjustments made to the text.                                                                                                                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments                                               |
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| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated (<b>taking as a reference 10 p.e. per hectare or above</b>) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <u>into receiving waters</u>;</p> |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                     |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del>;</p>                                                                                                                                                                                                                                                                                                    |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                         |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that</del> <b>designed to</b> collect and conducts urban wastewater <u>including urban runoff</u>; <del>including urban runoff</del>;</p>                                                                                                                                                                                                                                                                                                   |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p>(a) <del>domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b>;</p> <p>(b) <del>non-domestic</del> wastewater <b>non-domestic wastewater</b>;</p> <p>(c) <del>a mixture of domestic and non-domestic wastewater</del>;</p> <p>(d) <del>rainwater from agglomerations</del>;</p>                                            |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments                                        |
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| (10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del>                                                          |                           | The Czech Republic agrees with the adjustments made to the text. |
| (10 bis) [NEW] 'primary treatment' means <b>treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</b> |                           | The Czech Republic agrees with the newly proposed text.          |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or <del>another process which reduces removes most of biodegradable organic matter in from</del> urban wastewater;                                                                                              |                           | The Czech Republic agrees with the adjustments made to the text. |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> <b>reduces</b> <del>by a process which removes</del> nitrogen and/or phosphorus from <del>the</del> urban wastewaters;                                                                                                                       |                           | The Czech Republic agrees with the adjustments made to the text. |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;                                                                                                                                                   |                           | The Czech Republic agrees with the adjustments made to the text. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] comments                                                                                                                                                                                                                        |
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| <p>(14) 'sludge' means <del>any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue</del> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <del>debris, grit, grease, other debris</del> and any other <del>screenings</del> residues from the <del>first</del> pre-treatment step);</p>                                                        | <p><b>"sludge" from wastewater treatment plants means a heterogeneous suspension of inorganic and organic substances deposited or formed during the technological processes of wastewater treatment (with the exception of gravel, fat and other solid substances before adjustment). Sludge can further be distinguished as primary sludge of undissolved substances from settling tanks and secondary, activated sludge from secondary settling tanks of biological purification stage. These form raw sludge, which is further treated before use. Sludges from quaternary treatment containing hazardous substances cannot be applied to agricultural land.</b></p> | <p>The Czech Republic proposes a new definition of sewage sludge. We consider it very important that the definition should make it clear in which purification step the given type of sludge is produced and what pollutants it may contain.</p> |
| <p>(15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;</p>                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                  |
| <p>(16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b><sup>11</sup>;</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The Czech Republic agrees with the adjustments made to the text.</p>                                                                                                                                                                          |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                                                                                                                                       | [Insert MS name] comments                                                                                                                                                                                                                                             |
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| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the annual discharge</del> volume of urban wastewater <b>into surface waters</b> ; <del>discharged from a treatment plant;</del> | <b>"dilution ratio" means the ratio between the volume of the annual flow of recipients at the point of discharge and the annual volume of urban wastewater discharged into surface waters.</b> | The Czech Republic proposes to revert back to the original definition of dilution ratio. The dilution ratio indicator based on the five-year average will be significantly affected by the alternation of dry periods with average or above-average rainfall periods. |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                            |                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                       |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                        |                                                                                                                                                                                                 | The Czech Republic agrees with the adjustments made to the text.                                                                                                                                                                                                      |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                          |                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                       |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                                                 |                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                       |
| (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;                        |                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                       |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                                                    |                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                       |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                                                  |                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                       |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments                                        |
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| (25) <b>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b> |                           | The Czech Republic agrees with the adjustments made to the text. |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

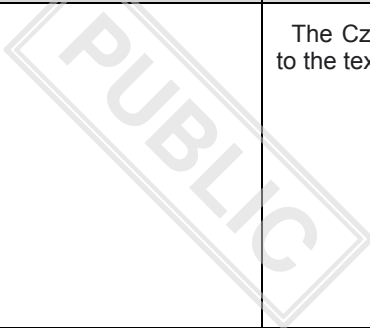
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments                                        |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                |                           |                                                                  |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                    |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                      |                           |                                                                  |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                  |
| 1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:<br><br>(a) they are provided with collecting systems;<br>(b) all their sources of domestic urban wastewater are connected to the collecting system. |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] comments                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><del>2. Unless they justify a derogation under paragraph 1 of Article 4, By 31 December 2030 2033, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</del></p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> | <p><b>2. Unless they justify a derogation under paragraph 1 of Article 4, By 31 December 2030 2033, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</b></p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> | <p><b>Justification</b></p> <p>Considering the demographic situation and the number of affected agglomerations, the Czech Republic requires a longer period for meeting the requirements of this article.</p> |
| <p><b>3. The calculation of the load of an agglomeration expressed in p.e. shall be based calculated on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant, shall also be based on the maximum average weekly load;</b></p>                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>The Czech Republic agrees with the adjustments made to the text.</p>                                                                                                                                       |
| <p><b>4 3. Collecting systems shall fulfil the requirements of Part A of Annex I.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                               |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           | The Czech Republic welcomes the adjustments made to the text of Article 4, which sets out the requirements for individual wastewater treatment systems. The Czech Republic emphasizes that in areas where the implementation of centralized systems for the collection, removal and treatment of urban wastewater is not possible for economic or technical reasons, the importance of individual systems for environmental protection is irreplaceable. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |                           | <p>The Czech Republic agrees to the modification of the text. However, it requires the terms "no environmental benefit" and "excessive costs" to be specified in more detail directly in the text.</p> <p>The Czech Republic agrees with the new interpretation of the environmental and economic effectiveness of individual systems compared to centralized systems.</p>                                                                               |
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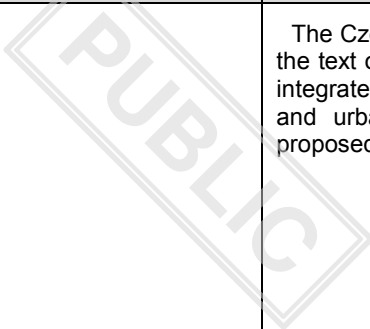
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal                                                           | [Insert MS name] comments                                               |
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| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                                                     |  | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used in</b> agglomerations of 1 000 p.e. and above, where individual systems are used are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                                                                                                                                          |                                                                                     | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| <p>34. The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2)</b> for establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by {24 months from the entry into force of this Directive}.</b></p> |                                                                                     | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph 34 where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
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| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>f24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                      |                           |                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |                           |                                                                                                                                                                                                                                                |
| (7); (8)                                                                                                                                                                                                                 |                           |                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of agglomerations</b> of 100 000 p.e. and above. |                           | The Czech Republic welcomes the adjustments made to the text of the article, which sets out the requirements for integrated plans for the management of urban wastewater and urban wastewater outflows and agrees with the proposed deadlines. |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> <b>conditions</b>;</p> <p>(c) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  | <p>The Czech Republic welcomes the adjustments made to the text of the article, which sets out the requirements for integrated plans for the management of urban wastewater and urban wastewater outflows and agrees with the proposed deadlines.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |                                                                                                                                                                                                                                                       |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations</u> referred to in paragraph 2 |                           | The Czech Republic welcomes the adjustments made to the text of the article, which sets out the requirements for integrated plans for the management of urban wastewater and urban wastewater outflows and agrees with the proposed deadlines. |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                           |                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                           |                                                                                                                                                                                                                                                |
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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

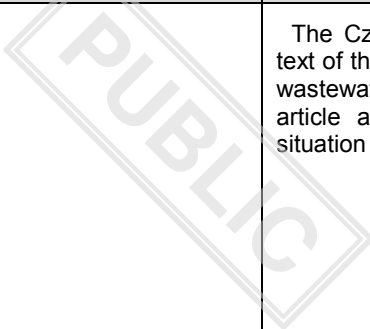
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive</b>.</p> |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p>                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                                                       |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           | <p>The Czech Republic welcomes the adjustments made to the text of the article, which sets out the requirements for integrated plans for the management of urban wastewater and urban wastewater outflows and agrees with the proposed deadlines.</p> |

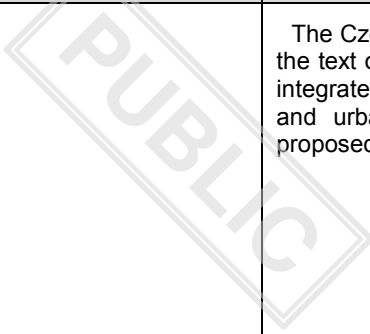
## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |



| New text proposal_Clusters1,3,5                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------|---------------------------|---------------------------|
| (11) 'secondary treatment'                                                   |                           |                           |
|                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                           |                           |
| (12); (8bis)                                                                 |                           |                           |
|                                                                              |                           |                           |

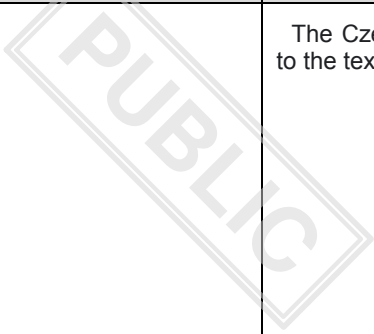
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <del>For agglomerations of 2 000 p.e. and above, Member States shall ensure that urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</del></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on</del> <del>[please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on</del> <del>[please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |  | <p>The Czech Republic welcomes the modification of the text of the article on the secondary treatment of municipal wastewater. In its current form, the requirements of the article and the set deadlines correspond to the real situation and possibilities of the member states.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> urban waste water entering collecting systems is subject to <del>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |  | <p>The Czech Republic welcomes the adjustments made to the text of the article, which sets out the requirements for integrated plans for the management of urban wastewater and urban wastewater outflows and agrees with the proposed deadlines.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |                                                                                                                                                                                                                                                       |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                            |                                                                                     | <p>The Czech Republic agrees with the newly proposed text.</p>                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |                                                                                                                                                                                                                                                       |
| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |                                                                                                                                                                                                                                                       |

| New text proposal_Clusters1,3,5 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|---------------------------|---------------------------|
|                                 |                           |                           |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~  
SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (16)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal                                                           | [Insert MS name] comments                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <p>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 <b>measures to reduce the use of energy</b> and or <b>enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                                                                                                                                                                                                                         | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>(a) 20 % of the total annual energy used by such plants by 31 December <b>2040</b>;</p> <p>(b) 60 % of the total annual energy used by such plants by 31 December <b>2045</b>;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December <b>2050</b>.</p> | <p>The Czech Republic welcomes the progress of the legislative process and the adjustments made to the text of the article, which establishes requirements for the energy neutrality of urban wastewater treatment systems. In paragraph 2, however, he proposes changing the deadlines for achieving partial goals and the overall goal of energy neutrality.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                                                                                                                                                                                                                         |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                                                                         |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority <del>or appropriate body</del>.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <del>or appropriate body</del>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <u>on request</u> 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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                           | <p>The Czech Republic welcomes the adjustments made to the text of the article on the discharge of wastewater from non-domestic sources and agrees with the wording of paragraph 1 letter c), which enables consultation and involvement of operators in decision-making processes.</p> |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
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<sup>15</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>3. The <del>general binding rules regulations</del> and specific authorisations referred to in paragraph 1 of this Article shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                           |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p>                                                                                                            |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> ten years.</p> <p>The <del>general binding rules regulations</del> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           | <p>The Czech Republic welcomes the adjustments made to the text of the article on the discharge of wastewater from non-domestic sources and agrees with the proposed deadline.</p> |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

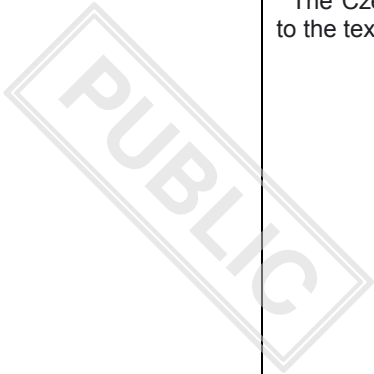
| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                  |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                  |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                      |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                  |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                           | The Czech Republic agrees with the adjustments made to the text. |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (21) 'antimicrobial resistance'                                                    |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (22); (23)                                                                         |                           |                           |
|                                                                                    |                           |                           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <ul style="list-style-type: none"> <li><b>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</b></li> <li><b>(ii) poliovirus;</b></li> <li><b>(iii) influenza virus;</b></li> <li><b>(iv) emerging pathogens;</b></li> <li><b><u>(v) contaminants of emerging concern;</u></b></li> <li><b><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></b></li> </ul> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 1(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> |  | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments                                        |
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| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                                                  |
| <p><del>32. 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 relevant public health parameters shall be monitored in urban wastewaters from a representative distribution at least 70 % of the national population. <b>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</b> 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 the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <b><u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></b></del></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                  |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments                                               |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                         |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(14) 'sludge'</p>                                                                      |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

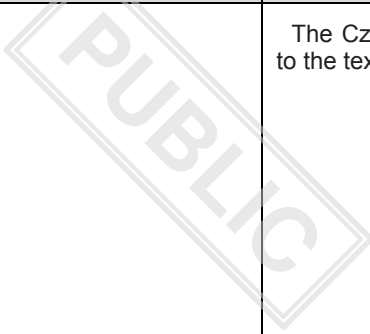
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                                                                                                                                                                         | [Insert MS name] comments                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                   |                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                   |                                                                                            |
| 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, <b>preparing for</b> reuse, and recycling and <b>other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                                 | 1a. When calculating the minimum rate of reuse and recycling of nitrogen and phosphorus, the use of sludge in agriculture and its use for composting or reclamation is considered as reused and recycled phosphorus and nitrogen. | The Czech Republic proposes to add a new paragraph 1a, or cover this issue in the recital. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                   |                                                                                            |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in <del>accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                                                                                                                                                                                                                                   | The Czech Republic agrees with the adjustments made to the text.                           |

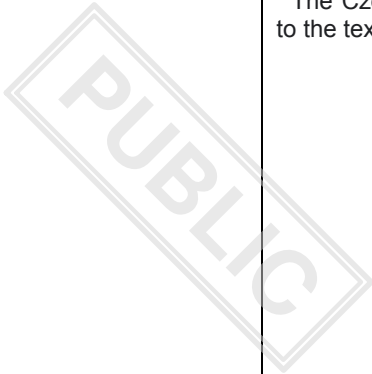
## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                      |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                                                                                                                                                                |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u></b>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |                           | <p>The Czech Republic generally agrees with the adjustments made to the text of the article, which sets out the requirements for monitoring. However, it proposes an extension of the deadlines in relation to Article 22.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                           | [Insert MS name] comments                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> <p><del>4.</del> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6-7</del> months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and <del>more above</del>;</p> |  | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                           |                           |
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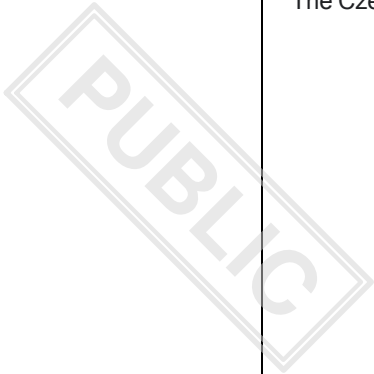
## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                        |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                  |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                  |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                  |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           | The Czech Republic agrees with the adjustments made to the text. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments                                        |
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|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                  |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> 6 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.                                                                                                                                                                   |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                  |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           | The Czech Republic agrees with the adjustments made to the text. |
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| <p><b>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</b></p> <p><b>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</b></p> <p><b>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p><b>(ii) the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</b></p> <p><b>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p><b>(ii) the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if</b></p> |  | <p>The Czech Republic agrees with the newly proposed text.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------|

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
|                                                                                    |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                           | <p>The Czech Republic proposes to delete this article from the directive on urban wastewater treatment. Access to Justice is sufficiently regulated by other EU legislation.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                                                                                  |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           | <p>The Czech Republic proposes to delete this article from the directive on urban wastewater treatment. Access to Justice is sufficiently regulated by other EU legislation.</p> |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                  |
| 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.                                                                                                                        |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                  |
| <del>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.</del> |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                  |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| <u>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</u>                                                                                                         |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                                                                  |
| <b>5 3.</b> Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           | The Czech Republic agrees with the adjustments made to the text. |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           | The Czech Republic would prefer to limit the number of delegated acts. The Czech Republic is not against specifying or adapting the requirements, but these requirements must be part of the Directive and must be subject to discussion between the member states. |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           | The Czech Republic would prefer to limit the number of delegated acts. The Czech Republic is not against specifying or adapting the requirements, but these requirements must be part of the Directive and must be subject to discussion between the member states. |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           | The Czech Republic would prefer to limit the number of delegated acts. The Czech Republic is not against specifying or adapting the requirements, but these requirements must be part of the Directive and must be subject to discussion between the member states. |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           | The Czech Republic would prefer to limit the number of delegated acts. The Czech Republic is not against specifying or adapting the requirements, but these requirements must be part of the Directive and must be subject to discussion between the member states. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                                                                                                                                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           | The Czech Republic would prefer to limit the number of delegated acts. The Czech Republic is not against specifying or adapting the requirements, but these requirements must be part of the Directive and must be subject to discussion between the member states. |
| 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. |                           | The Czech Republic would prefer to limit the number of delegated acts. The Czech Republic is not against specifying or adapting the requirements, but these requirements must be part of the Directive and must be subject to discussion between the member states. |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (36)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and implementation of the directive on urban wastewater treatment. |                           |                           |
|                                                                                                                                                                                 |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.                                                                             |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                                                                  |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                  |
| 1. <b>Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law</b> , Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the</del> |                           | The Czech Republic agrees with the adjustments made to the text. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| breach, taking into account specificities of Small and Medium Enterprises.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                  |
| 2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:<br><br>(a) the nature, gravity, and extent of the violation <b>infringement</b> ;<br><del>(b) the intentional or negligent character of the violation;</del><br><del>(e)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b> , bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;<br><br><b>(c) the repetitive or singular character of the infringement;</b> |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                                                  |
| 3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                  |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |



## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                       |                           |                           |
|                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                             |                           |                           |
| (42); (43)                                                                                               |                           |                           |
|                                                                                                          |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| <p>comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                                                                  |
| 2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           | The Czech Republic agrees with the adjustments made to the text. |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive].</p> |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                         |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                         |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                  |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                  |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                  |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                  |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex</b> .                                             |                           | The Czech Republic agrees with the adjustments made to the text. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                        |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such biomedica from being released into receiving waters</b> <del>the environment</del> .                                 |                           | The Czech Republic agrees with the adjustments made to the text. |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           | The Czech Republic agrees with the adjustments made to the text. |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                                    | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup>       | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                                  | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|------------------------------------------------------------------|
| demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.<br><br>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.<br><br>Note 3: This requirement is optional.<br><br><b>Note 4: Reduction in relation to the load of the influent.</b>                                                                                                                                                                                                                                                                                                                          |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  | The Czech Republic agrees with the adjustments made to the text. |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                  |



| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                         |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                         |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           | <p>The Czech Republic agrees with the adjustments made to the text.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                                                                  |
|                                                                                                                                                                             |                           |                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                                                                  |
| (12)                                                                                                                                                                        |                           |                                                                  |
|                                                                                                                                                                             |                           |                                                                  |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           | The Czech Republic agrees with the adjustments made to the text. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                                  | [Insert MS name] comments                                                                                                                                                                                                                                                                                |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                             |                                                                                            |                                                                                                                                                                                                                                                                                                          |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                            |                                                                                                                                                                                                                                                                                                          |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                                          |                                                                                            | <p>The Czech Republic emphasizes, that if micropollutants were to be monitored in a 48-hour sample and all other indicators in a 24-hour composite sample, this would mean that samples for micropollutant analysis would have to be collected separately, which would fundamentally increase costs.</p> |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                            |                                                                                                                                                                                                                                                                                                          |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per <del>week</del> <b>month</b>.</td></tr></table> | — 1000 to 9 999 p.e.:                                                                      | One sample per month ( <b>see Note 1</b> )                                                                                                                                                                                                                                                               | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |  | <p>The Czech Republic agrees with the adjustments made to the text.</p> |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | One sample per month ( <b>see Note 1</b> )                                                 |                                                                                                                                                                                                                                                                                                          |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Two samples per month<br>For micropollutants, one sample per month                         |                                                                                                                                                                                                                                                                                                          |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |                                                                                                                                                                                                                                                                                                          |                           |                                                                    |                                                             |                                                                                            |  |                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | [Insert MS name] proposal | [Insert MS name] comments                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|------------------------------------------------------------------|
| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                           |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                                                                  |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                           | The Czech Republic agrees with the adjustments made to the text. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           | The Czech Republic is of the opinion that it would be appropriate to establish the sampling of wastewater outflow from the wastewater treatment plants during precipitation events and in the period immediately following the period without precipitation. |
|                                                                                                                                                                                                                                                                           |                           |                                                                                                                                                                                                                                                              |
| 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.                                                 |                           |                                                                                                                                                                                                                                                              |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) <del>an indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                           |                           |

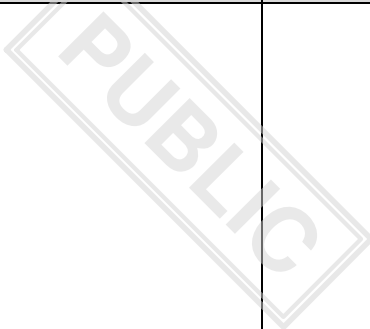
## DENMARK

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                           |                           |

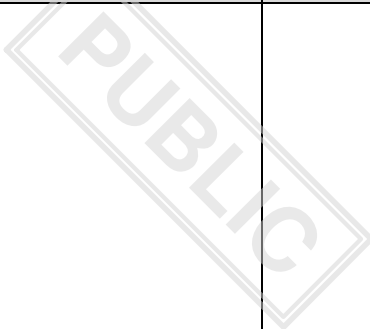
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <p>(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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                |                           |                           |
| <p>(6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del>. 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</p> |                           |                           |

<sup>1</sup> 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).

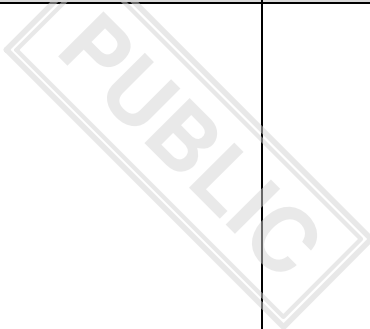
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                           |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                        |                           |                           |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <b><u>small quantities low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                           |                           |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |                           |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                                                                                     |                           |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> |  |                           |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |                           |                           |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                           |                           |

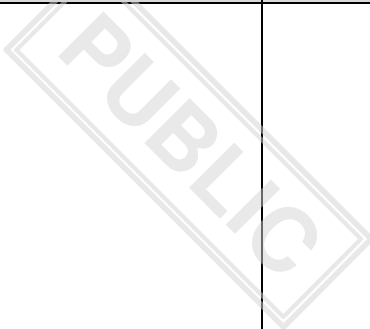
<sup>7</sup> Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

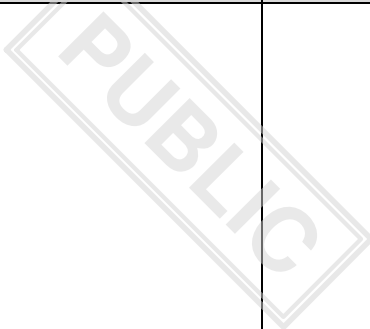
<sup>8</sup> Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                           |                           |
| <p>(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                           |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     |                           |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  |                           |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |                           |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                           |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| these territories, special attention should be given to the difficult topography and insularity. |                           |                           |
|                                                                                                  |                           |                           |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> 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. |                           |                           |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del>                                                                                                                                                                                                                                                                                                                |                           | OK                        |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services</del> <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for <del>either the following:</del><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution;</del><br>(c) <del>or industrial</del> <b>or economical</b> activities;<br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> pollution load of urban wastewater is sufficiently concentrated ( <b>taking as a reference 10 p.e. per hectare or above</b> ) for urban wastewater to be collected and conducted to <b>one or more</b> an urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <b>into receiving waters</b> ; |                           |                           |
| (5) 'urban runoff' means <b>precipitation rainwater</b> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
| (6) ' <b>sewer storm water</b> overflow' means discharge of untreated urban wastewater <b>into</b> receiving waters from <b>separate or</b> combined sewers <b>caused by rainfall</b> ;                                                                                                                                                                                                                                                                                           |                           |                           |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that</del> <b>designed to</b> collects and conducts urban wastewater <b>including urban runoff; including urban runoff</b> ;                                                                                                                                                                                                                                                                                         |                           |                           |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b> :<br>(a) <del>domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b> ;<br>(b) <del>non-domestic wastewater</del> <b>non-domestic wastewater</b> ;<br>(c) <del>a mixture of domestic and non-domestic wastewater</del> ;<br>(d) <del>rainwater from agglomerations</del> ;                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del>                                                                    |                           |                           |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.                  |                           |                           |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of biodegradable organic matter in from</del> urban wastewater;                                                                                                        |                           |                           |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> by a process which removes nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                                                      |                           |                           |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> reduces a broad spectrum of micropollutants <del>in from the</del> from urban wastewaters;                                                                                                                                                                           |                           |                           |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> organic residue and inorganic <del>sludge-residue</del> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <del>debris</del> , grit, grease, <del>other debris</del> and any other screenings residues from the <del>first</del> pre-treatment step); |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
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| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                           |                           |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                           |                           |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                           |                           |                           |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                           |                           |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |                           |                           |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |                           |                           |

<sup>11</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                           |                           |
| (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; |                           |                           |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                           |                           |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                           |                           |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5</u> in urban wastewater, expressed in p.e., or any pollutant or nutrient <del>in urban wastewater, expressed in p.e. or mass unit per time</del> (usually kilogram per day or year).</b>                                         |                           |                           |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                           |                           |
|                                                                                                                                                                |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments                                                                             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                                                                                                       |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                       |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <del>domestic urban</del> wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                                          |                           | Support the removal of the derogation or else we would go below the requirements of the current UWWTD |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                       |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 <del>p.e.</del> comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           | Support the removal of derogation                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                       |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p> |                           | Support                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <p>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

#### ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |                           |                           |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |                           |                           |
|                                                                                                                                                                       |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                   |                           |                           |
| <p>(4); (5); (6)</p>                                                                                                                                                  |                           |                           |
|                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. <del>By way of derogation from Article 3, where exceptionally</del> <b>Member States may derogate</b> if the establishment of <b>or the connection</b> to a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3,</b> Member States shall ensure that individual systems for the <b>collection, storage and, when applicable,</b> treatment of <del>urban domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in</b> agglomerations of 1 000 p.e. and above.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used in</b> agglomerations of 1 000 p.e. and above, <del>where individual systems are used</del> are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach,</b> are carried out by the appropriate authority <b>or other body authorised at national, or regional or local</b> level.</p>                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing</del> acts in <del>accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>[24 months]</u> from the entry into force of this Directive.</b></p>                                                                                  |                           |                           |
| <p><b>45.</b> Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations in</del> <b>each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive.</b></p> |                           |                           |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                       |                           |                           |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                      |                           |                           |
|                                                                                                                                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |                           |                           |
| (7); (8)                                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                          |                           |                           |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of agglomerations</b> of 100 000 p.e. and above. |                           |                           |
|                                                                                                                                                                                                                          |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] comments                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than 4% <del>3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than 4% <del>32</del> <b>1 %</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>15</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>16</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>17</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>DK support polluted discharges</p> <p>DK wants 1 percent but can accept 2 percent. DK is already at 1,1 percent and expect to be at 0,9 percent in 2027.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal                                                                                                                                                                                   | [Insert MS name] comments                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations referred to in paragraph 2</u> | 3. By 31 December <del>2035</del> <del>2040</del> <b>2039</b> , Member States shall ensure that an integrated urban wastewater management plan is established for agglomerations referred to in paragraph 2 | Denmark wants alignment with deadlines in the Water Framework Directive (WFD) |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                               |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                                                                                                                                                                                                             |                                                                               |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                               |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                                                                                                                                                                                                             |                                                                               |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                               |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>15</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>16</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>17</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive.</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           | Support six years         |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (11) 'secondary treatment'                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For</del> <b>For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on [please insert the date = date if entry into force of this directive];, the obligations set out in the first paragraph shall not apply until 31 December 2030.</b></p> <p><del>(b)</del> <b>For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the on [please insert the date = date if entry into force of this Directive] and fifteen years in the case of Madeira after the entry into force of this Directive.</b></p> |                           |                           |

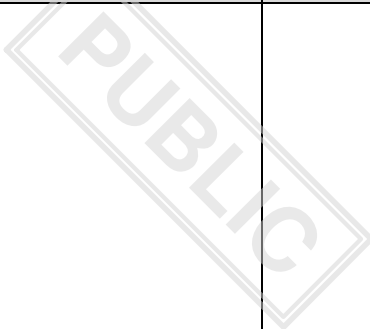
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] comments                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment set out in Part B and Table 1 of Annex I</del> in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment set out in Part B and Table 1 of Annex I</del> in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> | <p>Derogation to be deleted.</p>                                                                                                                                                                             |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                         | <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission and countries with which the specific water area is shared on request.</u></b></p>                                                                                                                                                                                                                                                                                                                       | <p>Denmark is concerned that discharges of nutrients especially on nitrogen from countries around the Baltic Sea is not brought down. It is necessary to reach good conditions in Danish coastal waters.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                              |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 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. |                           |                           |
|                                                                                                                                                                                                                  |                           |                           |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (16)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] comments                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> | <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas methane</b> emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> | <p>It should be all greenhouse gasses – nitrous oxide is the biggest problem</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                           | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|
| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> |  |                           |

| New text proposal_Clusters1,3,5 | [Insert MS name] proposal                                                                                                | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 | <b>3. Initiatives to achieve energy neutrality must not lead to an increased emission of methane and nitrous oxides.</b> | Denmark propose once more to add a paragraph 3 saying that initiatives to achieve energy neutrality must not lead to an increased emission of methane and nitrous oxides. There are often a negative tradeoff between energy efficiency and emissions of nitrous oxide. It is important that this is taken into account else ambition on energy-neutrality can be contra-productive. |

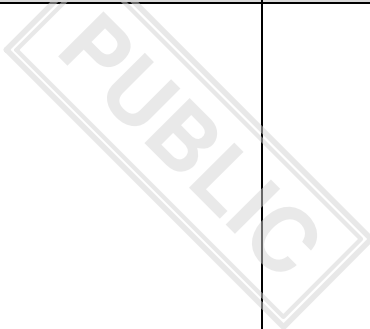
## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

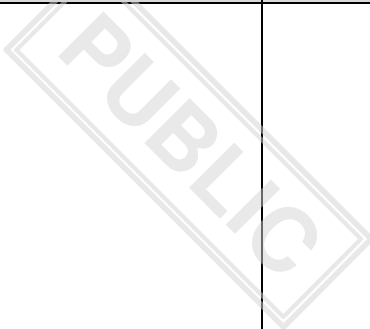
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (19)                                                                               |                           |                           |
|                                                                                    |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                           | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p><del>Those general binding rules prior</del> <b>regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</b></p> <p><del>Where general binding rules</del> <b>regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants</b>, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <b>and informs</b> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <b><u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></b></p> |  |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal                                                           | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>18</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |  |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |                           |
| <p>3. The <b>general binding rules regulations and</b> specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |                           |

<sup>18</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> <u>regulations</u> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></b></p> |                           |                           |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (21)                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <p>1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del><b>Part</b> B of Annex I.</p>                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <p><b>2.</b> The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>19</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |                           |                           |

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

<sup>19</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

| New text proposal_Clusters1,3,5                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------|---------------------------|---------------------------|
| (21) 'antimicrobial resistance'                                              |                           |                           |
|                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                           |                           |
| (22); (23)                                                                   |                           |                           |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1 that are to be monitored</del> <b>at least in the inlet of</b> urban wastewater <b>treatment plants</b>, such as those in the following list:</p> <ul style="list-style-type: none"> <li><b>(i) SARS-CoV-2 virus and its variants of interest;</b></li> <li><b>(ii) poliovirus;</b></li> <li><b>(iii) influenza virus;</b></li> <li><b>(iv) emerging pathogens;</b></li> <li><del><b>(v) contaminants of emerging concern;</b></del></li> <li><del><b>(vi)</b></del> <b>(v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></li> </ul> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 4(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> | <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p>21. For the purpose of paragraph 1, Member States <b>may</b> <del>shall</del> set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1 that are to be monitored</del> <b>at least in the inlet of</b> urban wastewater <b>treatment plants</b>, such as those in the following list:</p> <ul style="list-style-type: none"> <li><b>(i) SARS-CoV-2 virus and its variants of interest;</b></li> <li><b>(ii) poliovirus;</b></li> <li><b>(iii) influenza virus;</b></li> <li><b>(iv) emerging pathogens;</b></li> <li><del><b>(v) contaminants of emerging concern;</b></del></li> <li><del><b>(vi)</b></del> <b>(v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></li> </ul> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 4(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> | <p>Denmark believes that Article 17 should be a recommendation and not an actual requirement</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                                         | [Insert MS name] comments |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | platforms, where such platforms are available, <u>and in accordance with data protection law.</u> |                           |
| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> <del>at least 70 % of the national population. Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and <del>more</del>. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>20</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>21</sup>+</del>.</p> |                                                                                                   |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                   |                           |

<sup>20</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>21</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(14) 'sludge'</p>                                                                      |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

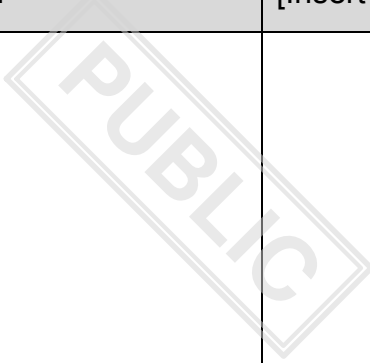


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 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, <b>preparing for</b> reuse, and recycling and <b>other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in <del>accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                           |                           |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</b>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases methane produced and</del> <b>the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  |                           |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>22</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>23</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture**.

~~4.~~ The monitoring referred to in ~~the first and second sub~~ **this** paragraphs **3** shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more above~~;

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

- 22 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 23 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> 6 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.                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:

(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if

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| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 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.                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>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.</del> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <del>5 3. Member States shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           |                           |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |

| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                           |                           |
| (42); (43)                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                              |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedial shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedial <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> .                   |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

### C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                      | [Insert MS name] comments                |                           |                                                                    |                                                             |                                                                                |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                  |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                               |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month <b>(see Note 1)</b></td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                          | One sample per month <b>(see Note 1)</b> | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One sample per month <b>(see Note 1)</b>                                       |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month             |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |                                          |                           |                                                                    |                                                             |                                                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|---------------------------|
| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           |                           |
|                                                                                                                                                                                                                                                                           |                           |                           |
| 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.                                                 |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) <del>an indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                           |                           |

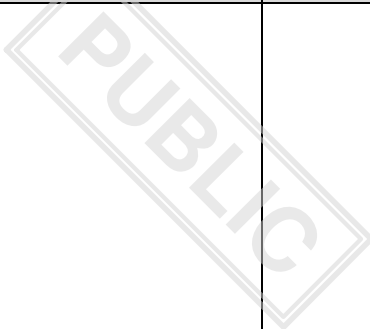
## GERMANY

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                           |                           |

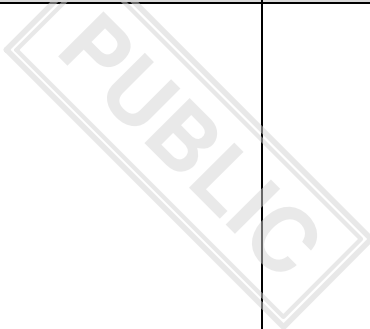
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                                                                            | [Insert MS name] comments                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                      |                                                                                                  |
| (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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> When delineating their agglomerations, Member States should take into account the <u>indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u> Where <del>centralised collecting</del> <u>such</u> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.                                                                                                                                                                 | Delete derogation:<br><br><u>. unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4</u> | See commente at Art. 4 (1)                                                                       |
| (6) <del>Exceptionally, where</del> <u>Where</u> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <u>would not be technically feasible</u> , or <u>would</u> involve excessive costs, Member States should be allowed to use individual systems to <u>collect and</u> treat urban wastewater, as long as they ensure the same level of <u>protection of the environment</u> <del>treatment as secondary and tertiary treatment</del> . 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 | Delete:<br><br><u>would not be technically feasible</u>                                                                              | See comment at Art 4 (1):<br><br>There is always a technical solution to protect the environment |

<sup>1</sup> 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).

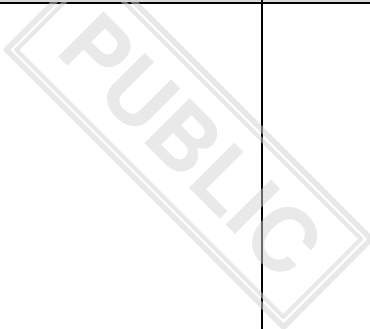
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                           |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                 | [Insert MS name] comments                                                                                                                                                                                                                                                                               |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                                   | <p><b>Delete the added sentences.</b></p> | <p>The minimum standard for waste water treatment for the protection of the environment in the European Union must be secondary treatment, without exemption. A particular regulation for Madeira is under no circumstances acceptable, as other examples could also fall under these restrictions.</p> |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                                           |                                                                                                                                                                                                                                                                                                         |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                           | [Insert MS name] comments         |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |                                   |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                                                                                     | <p>Support for suggested text</p> |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> |  |                           |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |                           |                           |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                           |                           |

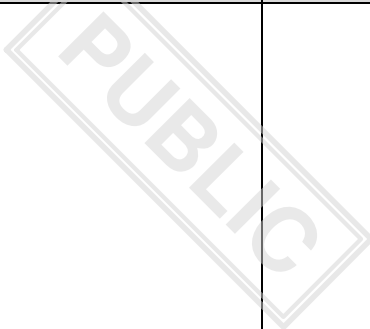
<sup>7</sup> Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                           |                           |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                            | [Insert MS name] comments                                                                                                                                                               |
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| <p>(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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Please add at the end:</b></p> <p>Member States ensure the use of recovered nutrients by legal regulation.</p> | <p>Due to price differences between natural and recovered nutrients, the use of substitutes is not guaranteed. Member States shall ensure the use of substitutes on national level.</p> |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                                                      |                                                                                                                                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  |                           |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |                           |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal                                                                                                                                      | [Insert MS name] comments                                                                                                                  |
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| <b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity.</b> | <b>Delete:</b><br>"In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity." | Not all outermost regions have a difficult topography or insularity. Thus, the specific connection to waste water is unclear or not given. |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                |                                                                                                                                            |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to</del> <b>sustainable levels</b> 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. |                           |                           |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                        | [Insert MS name] proposal           | [Insert MS name] comments                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                           |                                     |                                                                                                                                             |
|                                                                                                                                                                                                                                                                        |                                     |                                                                                                                                             |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                    |                                     |                                                                                                                                             |
|                                                                                                                                                                                                                                                                        | <b>'dry weather flow' means ...</b> | With reference to Art. 5 (2) b), a definition of dry weather conditions is missing, or vice versa a definition for rain weather conditions. |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them;</b> |                                     |                                                                                                                                             |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and</del> services <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                    |                                     |                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>(3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b>, which is discharged into <del>collecting systems</del> from premises used for either the following:</p> <p>(a) the exercise of a trade;</p> <p>(b) <del>activities carried out by an institution;</del></p> <p>(c) <del>or</del> industrial <b>or economical</b> activities;</p> <p><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u></p> |                           |                           |
| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated (<b>taking as a reference 10 p.e. per hectare or above</b>) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points. <u>into receiving waters;</u></p>                                                                                  |                           |                           |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <b>into</b> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall;</del></p>                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <b>including urban runoff; including urban runoff;</b></p>                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal   | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p>(a) <del>domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b>;</p> <p>(b) <del>non-domestic wastewater</del> <b><u>non-domestic wastewater</u></b>;</p> <p>(c) <del>a mixture of domestic and non-domestic wastewater</del>;</p> <p>(d) <del>rainwater from agglomerations</del>;</p> |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>(10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load</del> <b>per day</b> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day</del> <b>per day</b>;</p>                                                                                                                                 |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</b></p>                                                                                                 | <p><b>To be deleted</b></p> | <p>By adding the definition for primary treatment, a technical standard is introduce. For wastewater treatment plants with equipped with any kind of primary treatment step, a minimum standard (20%/50%) would apply. Nevertheless, there are treatment methods which would require less primary treatment rates (such as treatment by membrane filtration). The primary treatment rate should always be adapted to the overall technical solution.</p> <p>In addition, as the minimum treatment in the European Union must always be secondary treatment, the introduction of a definition for primary treatment is obsolete.</p> |
| <p>(11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or <del>another process</del> <b>which reduces removes most of biodegradable organic matter in from</b> urban wastewater;</p>                                                                                                                                                                                       |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <b>reduces</b> <del>removes most of by a process which removes</del> nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                 |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                 |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <b>organic residue and inorganic sludge-residue</b> resulting from the treatment of urban wastewater <b>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</b>                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                 |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                 |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; | <p>Suggestion again:</p> <p>Stick to origin COM proposal or text below.</p> <p><b>'Micropollutant' means a substance, including its breakdown products, that usually occurs in low concentrations (mostly µg-ng/l) in the water medium and which can be considered hazardous to human health or the environment based on any of the relevant criteria set out in Part 3 and Part 4 of Annex I to Regulation EC<sup>1</sup>.</b></p> | <p>Not acceptable.</p> <p>New proposal lacks reference to the water medium and "low concentrations" is not defined anymore.</p> |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the</del> annual <b>discharge</b> volume of urban wastewater <b>into surface waters</b> ; <del>discharged from a treatment plant;</del> |                           |                           |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                   |                           |                           |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                    |                           |                           |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                 |                           |                           |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                                                        |                           |                           |
| (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;                               |                           |                           |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                                                           |                           |                           |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (25) <b><u>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</u></b> |                           |                           |

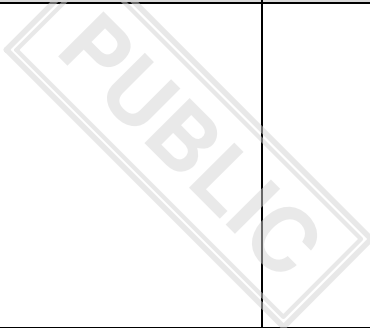
### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                      |                           |                           |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:<br><br>(a) they are provided with collecting systems;<br>(b) all their sources of domestic urban wastewater are connected to the collecting system. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal                                                                                                                       | [Insert MS name] comments                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <p><b>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</b></p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> | <p><b>Delete:</b></p> <p>"Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met."</p> | <p>Derogation not acceptable. Clear deadlines must apply.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                 |                                                               |
| <p><b>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</b></p>                                                                                                                 |                                                                                                                                                 |                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                 |                                                               |
| <p><b>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                 |                                                               |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal                                                                             | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable, treatment</b> of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above.</b></p> | <p><b>Delete again:</b></p> <p>"or the connection to" and</p> <p>"it is not technically feasible"</p> | <p>It can in no way be justified that a connection to an existing public sewer would not let to environmental benefits. There is a need to use the investment in a sewer by public money under all circumstances, as otherwise the investment would not make sense at all. In addition, it is always technically feasible to connect to a public sewer, as there is always a technical solution.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                                                                |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used in agglomerations of 1 000 p.e. and above</b>, where individual systems are used are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local level</b>.</p>                                                                                                                                                                                                                                    | <p>Delete again:<br/>“on the basis of a risk-based approach,”</p>                   | <p>Member States are obliged to carry out checks or control. There is no need to introduce a RBA, as Member States can decide about the way, may it be on the basis of a RBA or in any other way.</p> <p>In case an annual inspection is already carried out, operator might request minor checks on the basis of a RBA, which would lead to less control and a higher risk for the environment. In addition, plants under standard EN 12566-3 require regular checks without RBA!</p> |
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by {24 months from the entry into force of this Directive}.</b></p> |                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                    | [Insert MS name] comments                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> 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 <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph 34 where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> | <p>Delete again:<br/>“at national level”</p> | <p>It is highly relevant to check every single agglomerartion &gt; 2000 pe. Thus, an overall national approach with an average of more than 2% is the wrong approach.</p> |
| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>f24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                              |                                                                                                                                                                           |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                           |                           |
| (7); (8)                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area</u> of agglomerations</b> of 100 000 p.e. and above. |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] comments                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>2. By 31 December <del>2025</del> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow <del>or urban runoff</del> <b><u>discharges</u></b> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>2%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm water</del> overflow <del>or urban runoff</del> <b><u>discharges</u></b> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>15</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>16</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>17</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> | <p>Text proposed following the BE Non-paper</p> <p>2% according to Annex V and the AT study.</p> <p>Definition of 'dry weather flow' required (see above)</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations</u> referred to in paragraph 2 |                           |                           |
|                                                                                                                                                                                                                          |                           |                           |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                          |                           |                           |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                          |                           |                           |

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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>15</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>16</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>17</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive.</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(11) 'secondary treatment'</p>                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                                                                               | [Insert MS name] comments                                                                                                                      |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                         |                                                                                                                                                |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                         |                                                                                                                                                |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</p> <p>(a) For For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on <del>please insert the date = date if entry into force of this directive</del>;; the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on [please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> | <p>Delete exemption for Madeira</p> <p><u>and fifteen years in the case of Madeira after the entry into force of this Directive</u></p> | <p>The introduction of additional time for discharges into less sensitive areas should also apply for Madeira and is technically feasible.</p> |

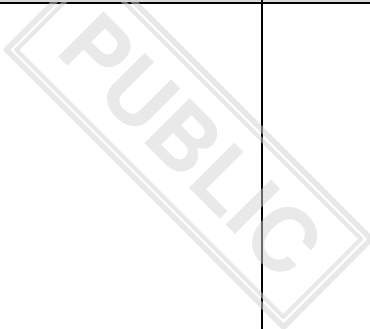
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p><b>Delete derogation</b></p> <p><del>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</del></p>                                                                                                                                                                                                                                                                                                                                                  | <p>Another derogation. Not acceptable, as the timeframe proposed by the COM (Dec 2030) is already extended to 2033 and can further be extended by more than 6 years. Clear goals and timeframes should be set to protect the environment.</p>                                                                                                                                                                             |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     | <p><b>Delete completely</b></p> <p><del>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</del></p> | <p>Wastewater from high regions above 1000 pe can easily be brought to the valley. Thus, there are technical solutions without temperature restrictions to treat the wastewater in an appropriate way.</p> <p>In addition, the Danish non paper proves that a high level of nutrient removal is effective also with low temperatures.</p> <p>Thus, the introduce part is not acceptable at all and has to be removed.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| 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. |                           |                           |
|                                                                                                                                                                                                                  |                           |                           |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (16)                                                                               |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>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 <b>measures to reduce the use of energy</b> and or <b>enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> |  |                           |



## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority <del>or appropriate body</del>.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <del>or appropriate body</del>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <u>on request</u> 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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>18</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

18 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>3. The <del>general binding rules</del> <b>regulations</b> and specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</b></p> |                           |                           |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
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| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>19</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                           |                           |

19 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (21) 'antimicrobial resistance'                                                    |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (22); (23)                                                                         |                           |                           |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>(c) influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>(e) contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <p><b>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</b></p> <p><b>(ii) poliovirus;</b></p> <p><b>(iii) influenza virus;</b></p> <p><b>(iv) emerging pathogens;</b></p> <p><del><b>(v) contaminants of emerging concern;</b></del></p> <p><b><u>(vi)</u> (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></p> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 4(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> | <p><b>Please add:</b></p> <p>(v)pathogens / genes associated with antimicrobial resistance</p> <p>Change (v) into (vi)</p> | <p>It is still unclear, what the outcome of measuring AMR in waste water treatment plant could mean. It is clear that AMR will always be found in wwtp as well as in the natural environment, such as surface waters. Thus, the cooperating competent authorities should be able to adapt the national system of monitoring AMR accordingly. For this reason, it is suggested that the requirement to measure AMR should also be covered in para 1 (a). The text in paragraphe (3) can be deleted accordingly.</p> <p>Secondly, the term AMR is not specified. Overall, AMR is a sum parameter. A method to analyse AMR is currently not available.</p> <p>By adding the AMR to the list of examples in para. 1, the AMR is given a signal position without there being an obligation for the member states to apply a method that has not yet been scientifically researched.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                                                                                                                                                                               | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                      |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                |
| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> <del>at least 70 % of the national population. <b>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</b></del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and <del>more</del>. This monitoring shall continue until <del>this</del> <b>the</b> competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>20</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>21</sup></del>.</p> | <p><b>Delete 'shall' and replace by 'may'</b></p> <p>... relevant public health parameters <del>shall</del> <b>may</b> be monitored in urban wastewaters ...</p> <p>This monitoring <del>shall</del> <b>may</b> continue until the competent authority declares ...</p> | <p>Adaptation is mandatory because it depends on the specific health emergency (pathogens, etc.) whether monitoring is a useful method to assess the health emergency. That is why it is also necessary to be able to stop monitoring before the end of the public health emergency. However, the current regulation does not allow for such considerations of usefulness.</p> |
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<sup>20</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>21</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] comments                  |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission shall <del>may</del> <b>shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an a</del> uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> | <p>Delete the first part of (3), as it is suggested to cover it under 1. (a)</p> <p><del>For agglomerations of 100 000 p.e. and above, Member States shall, by 1 January 2025 2026 [OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph], ensure that antimicrobial resistance is monitored at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> | <p>Insert AMR in 1. as suggested above</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                            |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                            |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(14) 'sludge'</p>                                                                      |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>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, <b>preparing for</b> reuse, <del>and recycling and other material recovery</del> of resources and minimize the adverse effects on the environment.</p>                                                                                                                                                                                                                                                                                                                                                 | Supported                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Germany supports the proposed additions, noting that the direct use of sewage sludge as a secondary fertilizer has advantages, but also a large number of disadvantages. In particular, the input of pollutants is to be seen here. The organic pollutants which are destroyed by thermal pre-treatment in the course of phosphorus recycling processes should be emphasized. This results in a real relief of the environment. Therefore, a soil-related recycling of sewage sludge should only be possible in exceptional cases.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>2. The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 27 <del>to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take into account available technologies, resources, and economic viability for phosphorus and nitrogen recovery, in sludge and wastewater.</del> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</p> | <p>Germany supports the adoption of implementing acts.</p> <p>Amendmend as suggested below:</p> <p>2. The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 27 <del>to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take into account available technologies, e.g. related to phosphorus recycling from sewage sludge ashes, resources, and economic viability for phosphorus and nitrogen recovery, in sludge and wastewater.</del> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</p> | <p>With reference to recital 28, the use of recovered phosphorus as substitute for primary nurients in the production of fertiliziers should be required in this article too.</p>                                                                                                                                                                                                                                                                                                                                                         |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (29)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                                                                                                                                                                                                                                   | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part B of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</del> <b>and; this monitoring shall include including</b> loads and concentrations of the parameters listed in <del>Part B Tables 1, and 2 and 3</del> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></b></p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e</del> <b>and above.</b></p> | <p>Amendment as follows:</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC and relevant implemented acts for sludge intended to be used in agriculture;</u></b></p> <p>Support due to introduction of modelling</p> |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                             |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> monitor carry out <b>sufficient representative monitoring of sewer</b> the concentration and loads of pollutants from storm water overflows and <b>polluted discharges of</b> urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> | <p>Delete Article 21 (2)</p> <p><del>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system monitor carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and polluted discharges of urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</del></p> | <p>We consider a complete deletion of art 21(2) as appropriate:</p> <ul style="list-style-type: none"> <li>- Art 21(2), as written now, goes further that annex V. Annex V request an 'estimation' of the load of pollutants released in receiving waters by sewer overflows (and urban runoff) only in agglomeration that are selected to be at risk based on the risk evaluation performed under art. 5(2). Given the impact (both technological and financial), a requirement to model the concentrations and load of pollution for all sewer overflows in all agglomeration of 10.000 p.e. and above cannot be supported</li> <li>- Annex V already prescribes what is to be done with respect to monitoring / modelling to evaluate in more detail the actual risks and impact of sewer overflow on receiving waters.</li> </ul> <p>For urban runoff in separate systems, we refer to the newly proposed approach – new 21 (3)</p> |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>22</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>23</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture.</u></b></p> | <p><del>23</del>. For all agglomerations of 10 000 p.e. and above, Member States shall ...</p> |  |
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- 22 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 23 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).

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| <p>4. The monitoring referred to in the first and second sub <del>this</del> paragraphs 3 shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum 6-7 months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and more <del>above</del>;</p> <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b>[NEW] The This</b> monitoring frequency <del>established in this paragraph</del> may be halved in subsequent years if the monitoring results for the pollutants referred to in <del>this</del> paragraph 3 are below <del>standards applicable Environmental Quality Standards</del> under Directive 2008/105/EC <del>or below detection limits or below limits of quantification</del> during the first three <del>successive</del> years of the monitoring. The monitoring frequency should be reviewed at least every year.</p> | <p><b>Insert:</b></p> <p>3. Member States shall put in place monitoring requirements with regard to the potential presence of the substances listed in paragraphs 1 and 2 of this article in urban runoff discharged from separate urban runoff systems at relevant points in agglomerations of 10.000 p.e. and above where urban runoff is expected to be polluted in such a way that its discharge into receiving waters can be considered as a risk to the environment or human health.</p> <p>Based on the outcome of this monitoring, Member States shall ensure that measures to reduce the pollution from urban runoff discharges are considered and that relevant and feasible measures, taking in to account the cost-benefit principle, are identified.</p> <p>Where appropriate, these measures shall be included in the programmes of measures referred to in Article 11 of the Directive 2000/60/EC.</p> <p><del>4. The monitoring referred to in the first and second sub this paragraphs 3 shall be carried out with the following frequencies:</del></p> <p><del>(a) at least two samples per year, with maximum 6-7 months between the samples, for agglomerations of 100 000 150.000 p.e. and more above;</del></p> <p><del>(b) at least one sample every 2 two years for agglomerations of between 10 000 p.e. and 100 000 p.e.</del></p> <p><del><b>[NEW] The This</b> monitoring frequency <del>established in this paragraph</del> may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below <del>standards applicable Environmental Quality Standards</del> under Directive 2008/105/EC <del>or below detection limits or below limits of quantification</del> during the first three <del>successive</del> years of the monitoring. The monitoring frequency should be reviewed at least every year.</del></p> | <p>Concept of the watch list approach under art 13 of the new drinking water directive.</p> <p>We make reference to the substances listed in paragraph 1 and 2. If deemed relevant, an implementing act to identify a list the pollutants of concern linked to urban runoff, can be included here.</p> <p>We focus on the identification of measures to reduce pollution for urban runoff and make reference to the programme of measure under the water framework directive.</p> <p>Flexibility is needed on who will be the responsible party for taking the measures. It is not per definition the operator of the collecting system for urban runoff who will be made responsible.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> | <p><del>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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge.</del></p> <p>4. The Commission is empowered to adopt implementing delegated acts in accordance with the procedure referred to in Article 28 to ensure a uniform application of this Directive by establishing:</p> <ul style="list-style-type: none"> <li>I. a methodology for measuring greenhouse gas emissions from urban wastewater treatment plants;</li> <li>II. a methodology for measuring microplastics in urban wastewater, urban runoff and sludge.</li> </ul> <p>The Commission will provide the requirements by [XX months from the entry into force of this Directive].</p> | <p>Delegated acts could be more appropriate here and this would be in line with the mandate for delegated acts on the methodology for analyses of microplastics under article 13 of the drinking water directive.</p> <p>Taking into account the requirements for monitoring microplastics on one hand and the analytical challenges to monitor them in a correct, comparable and financially feasible way, it seems a precondition that COM supports MS by providing them timely with a methodology.</p> <p>The same applies for the monitoring of greenhouse gases.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
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| <p><b>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</b></p> <p><b>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</b></p> <p><b>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p><b>(ii) the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</b></p> <p><b>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p><b>(ii) the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if</b></p> | <p><b>Paragraphe to be deleted</b></p> | <p>See comment in Art. 3 (2). Clear deadlines must apply. An extension of deadlines is not acceptable.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>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.</p>                                                                                                                        | <p><b>Proposed text to be deleted:</b></p> <p><del>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.</del></p> <p><b>To be replaced by:</b></p> <p>1. Member States shall ensure that, where damage to human health has occurred as a result of a <b>negligent or intended</b> violation of national measures that were adopted pursuant to this Directive <b>which have protective effect towards the injured person</b>, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons <b>in accordance with national law</b></p> | <p>We welcome the deletion of official liability. Nonetheless, the proposed liability is not overseeable. Civil liability is not harmonised in the EU. Questions of civil liability should therefore be left to the civil law of Member States. Therefore, Article 26 should be deleted entirely.</p> <p>In the spirit of compromise, Germany could agree to keep the first paragraph only if it is amended as proposed and if the rest of the article is deleted.</p> <p>It is essential, that liability should only occur when a provision is violated that is aimed to protect third parties, in regard of this directive, when a provision serves to protect the health of individuals. However, Article 26 (1) as it stands links liability to any violation of national measures that were adopted pursuant to this Directive. Therefore, the liability proposed in this provision is unclear and too broad in this regard. In addition, paragraph 1 has to include the pre-requisite of fault (i.e., negligence and intent) that is necessary for any civil liability.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><del>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.</del></p> | Delete as suggested                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Paragraph 2 has to be kept deleted as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] comments                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.</p>                                                                                                                                  | <p><b>To be deleted</b></p> <p><del>3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.</del></p>                                                                                                                                | <p>Deletion (see above). It is unclear, which national rules and procedures could make claims for compensation impossible or excessively difficult. Thus, the transposition in national law would also be unclear.</p> |
| <p><del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del></p>                                                                                   | <p>Support to delete paragraphe</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Article 26 (4) has to be kept deleted.</p>                                                                                                                                                                          |
| <p>5 3. Member States shall ensure that <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del>. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1</p> | <p><b>To be deletet entirely</b></p> <p><del>5 3. Member States shall ensure that <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 are not shorter than 5 years. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1</del></p> | <p>To be deleted due to reference to (deleted) Art. 26 (1)</p>                                                                                                                                                         |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| (35)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (36)                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                 |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and implementation of the directive on urban wastewater treatment. |                           |                           |
|                                                                                                                                                                                 |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.                                                                             |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 1. <b>Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law</b> , Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] comments                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del>                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                               |
| 2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:<br><br>(a) the nature, gravity, and extent of the violation <b>infringement</b> ;<br><del>(b) the intentional or negligent character of the violation;</del><br><del>(c) (b)</del> (b) the population or the environment affected by the violation <b>infringement</b> , bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;<br><br>(c) the <b>repetitive or singular character of the infringement</b> ; | 2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:<br><br>(a) the nature, gravity, and extent of the <del>violation</del> <b>infringement</b> ;<br><del>(b) the intentional or negligent character of the violation;</del><br><del>(c) (b)</del> (b) the population or the environment affected by the <del>violation</del> <b>infringement</b> , bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;<br><br>(c) the <b>repetitive or singular character of the infringement</b> ; | Editorial correction as per previous version. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                               |
| 3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                               |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (42); (43)                                                                         |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive].</p> |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |



## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> .                                                        |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedial shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedial <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> .                   |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                      | [Insert MS name] comments                  |                           |                                                                    |                                                             |                                                                                |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                  |                                                                                |                                            |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                            |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                               |                                                                                |                                            |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                            |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                          | One sample per month ( <b>see Note 1</b> ) | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One sample per month ( <b>see Note 1</b> )                                     |                                            |                           |                                                                    |                                                             |                                                                                |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month             |                                            |                           |                                                                    |                                                             |                                                                                |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |                                            |                           |                                                                    |                                                             |                                                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | [Insert MS name] proposal          | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <div> <div>—100.000 p.e. or over:</div> <div>One <del>Two</del> samples per day <del>week</del></div> <div>For <del>micropollutants, two</del> <del>one</del> sample per week</div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | <p><b>Note 1 to be deleted</b></p> | <p>First of all, seasonal activities are not defined. In some tourist areas seasonal activities might even last for 12 month! In addition, this exemption is in contradiction to Art. 4 (1) a (i) of Directive 2000/60 (WFD): <i>Member States shall implement the necessary measures to prevent deterioration of the status of all bodies of surface water</i></p> |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                                    |                                                                                                                                                                                                                                                                                                                                                                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
|                                                                                                                                                                                                                                                                           |                           |                           |
| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           |                           |
|                                                                                                                                                                                                                                                                           |                           |                           |
| 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.                                                 |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                             |                           |                           |
|                                                                                                                                                                                |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                   |                           |                           |
|                                                                                                                                                                                |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 7. Production of alcohol and alcoholic beverages<br>8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] comments                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall; | 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall; | Text proposed following the BE Non-paper |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] comments                               |
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| <p>(b) a dynamic analysis of the flows of urban runoff, <b>polluted urban runoff</b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>(b) a dynamic analysis of the flows of <del>urban runoff</del> <b>and</b> urban wastewaters in case of rainfall based on <del>monitoring data or making the</del> use of hydrological, hydraulic <del>and water quality</del> models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Table 1 and, where relevant, Table 2 of Annex I as well as <del>microplastics and relevant micropollutants</del> relevant pollutants listed in article 21 (3 a)</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                         |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b>polluted discharges of</b> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated discharges of urban runoff through separate sewers collection networks,</del> unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters;</b></p> | <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows <del>and urban runoff</del> <b>discharges</b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) <del>the progressive reduction of pollution load from elimination of untreated discharges of urban runoff through separate sewers collection networks, unless it can be demonstrated that those discharges do not cause adverse impacts on the water quality requirements of other Union legislation of receiving waters;</del></p> | <p>Dry weather to be defined – see remark Article 2</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] comments |
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| (c) the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | (c) the progressive reduction of macroplastics in sewer overflow <del>and discharges of urban runoff.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |
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| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> | <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that <del>polluted rain waters are collected and treated, and</del> releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                           |

## ESTONIA

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Estonian proposal | Estonian comments                 |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                                   |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                   | <p>Text proposal is suitable.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> <b>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                           | <p>(5) In order to ensure effective treatment of urban wastewater before discharge into the environment, all urban wastewaters from agglomerations of <b>1 000 1500</b> p.e. and above should be collected in centralised collecting systems, unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4. When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, <b>possibly combined with and/or</b> economic activities, located in a specific area are considered sufficiently concentrated. Where collecting systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                  | <p>As a compromise, we find it important that the scope of the Directive must not be lowered to agglomerations below 1500 p.e in order to better manage the investment needs (the reasons are discussed in more detail below under Article 3 comments).</p> <p>We prefer that the proposed 'population possibly combined with economic activities' should be replaced with 'population and/or economic activities' to provide Member States with the flexibility to also consider only economic activities in the formation of agglomeration as is also provided in the current Directive.</p> <p>We support moving the numerical non-binding/indicative reference threshold for formation of agglomeration to recital 5.</p> |
| <p>(6) <del>Exceptionally, where</del> <b>Where</b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b>would not be technically feasible</b>, or <b>would</b> involve excessive costs, Member States should be allowed to use individual systems to <b>collect and</b> treat urban wastewater, as long as they ensure the same level of <b>protection of the environment</b> <del>treatment as secondary and tertiary treatment</del>. 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,</p> | <p>(6) Where it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental <b>or health</b> benefit, would not be technically feasible, or would involve excessive costs, Member States should be allowed to use individual systems to collect and, <b>when applicable</b>, treat urban wastewater, as long as they ensure the same level of protection of the environment. For this purpose, Member States should establish national, <b>regional or local</b> 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 <b>on the basis of a risk-based</b></p> | <p>These changes are related to the changes made in Article 4.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

<sup>1</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian comments                                                                                                                                  |
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| <p>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. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>approach.</b> 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. Where individual systems are used to collect and <b>or</b> treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                    |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> | <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should <b>provide information by catchment areas be established for each urban wastewater drainage area of the concerned agglomerations. Member States shall still have a flexibility to decide whether an integrated urban wastewater management plan is separately</b></p> | <p>These changes are related to Estonian proposal on Article 5 (the reasons are discussed also in more detail below under Article 5 comments).</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Estonian comments                                                                                                                                                                                                              |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | prepared for each agglomeration (or for its catchment area) or joint plans are prepared, for example, for several agglomerations or for their catchment areas. The main thing regarding integrated urban wastewater management plans is that the respective agglomerations or catchment areas are covered by the plan/plans. Member States have also an option to use other nationally prepared and established plans which include at least the same elements as it is set out for integrated urban wastewater management plans to 4imple this requirement of establishing integrated urban wastewater management plans.                                                                                                                                                                                                |                                                                                                                                                                                                                                |
| <b>(8 bis)</b> 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. <u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u> | (8 bis) 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 <del>1 000</del> 1500 p.e. and above. Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island. | In relation to our comments on recital 5, we find it important that the scope of the Directive must not be lowered to agglomerations below 1500 p.e (the reasons are discussed in more detail below under Article 3 comments). |
| (11) Recent scientific knowledge underpinning several Commission strategies <sup>2</sup> highlight the need to take action to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | (11) Recent scientific knowledge underpinning several Commission strategies <sup>3</sup> highlight the need to take action to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | These changes are related to our previous comments on Article 8 according to which in Estonia due to lower usage                                                                                                               |

<sup>2</sup> 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).

<sup>3</sup> 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

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| <p>address the issue of micropollutants, which are now detected <u>usually</u> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b>low concentrations of micrograms per litre or below</b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> | <p>address the issue of micropollutants, which are now detected usually in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in low concentrations of micrograms per litre or below. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, which represent a significant part of the pollution and for which removal technologies are already designed. The treatment should be imposed based on <del>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 micropollutant discharges in the environment and the removal of micropollutants by urban wastewater treatment plants at such scale is cost-effective. For agglomerations of between 10 000 p.e. and 100 000 p.e.,</del> Member States should be required to apply quaternary treatment to <b>urban wastewater treatment plants serving agglomerations of 10 000 p.e. and above</b> for areas identified as sensitive to pollution with micropollutants based on clear criteria, which should be specified. 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 <del>between</del> 10 000 p.e. and <b>above 100 000 p.e.</b>, 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</p> | <p>of cosmetics and pharmaceuticals compared with bigger Member States (see also previous Estonian comments on article 9), the costs of installing quaternary treatment stage to all large WWTP-s treating a load of 100 000 p.e. and above (or according to new threshold 150 000 p.e. and above) are not proportional to the accompanying benefits to human health and the environment. Thus, this requirement to install quaternary treatment should not automatically apply to all large WWTP-s. the requirement to install quaternary treatment stage to WWTPs in order to remove micro-pollutants should only be based on the results of a risk assessment and should be left to the discretion of the Member States to be set up on the basis of local needs and economic rationality as it requires extensive investments.</p> <p>As experience and knowledge regarding construction and operation of the quaternary treatment stage are currently weak both in Estonia and in other Member States, the requirement of quaternary treatment should progressively apply until 2050 with clear interim objectives.</p> |

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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | requirement of quaternary treatment should progressively apply until <b>2040 2050</b> with clear interim objectives.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>(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 Council<sup>4</sup>, by those urban wastewater treatment plants. <b><u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u></b> That objective should be progressively met with interim targets by 31 December 2040. Reaching this energy neutrality target will contribute to reduce the</p> | <p>(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 Council<sup>10</sup>, by those urban wastewater treatment plants. In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of <b>25% 50%</b> of <b>renewable carbon neutral</b> energy, not <b>directly</b> linked to urban wastewater treatment activities, may be purchased or produced from external sources. That objective should be progressively met with interim targets by 31 December <b>2040 2045</b>. Reaching this energy neutrality target will contribute to reduce the avoidable greenhouse gas (GHG) emissions from the</p> | <p>These changes are related to our compromise proposal on article 11 according to which the share of carbon neutral energy that is allowed to be purchased or produced from external sources not linked with urban wastewater treatment must be increased at least to 50% and the deadline extended at least to 2045 (the reasons are discussed in more detail below under Article 11 comments).</p> <p>We also believe that climate neutrality target can also be achieved with other carbon neutral energy sources (e.g nuclear energy, etc) in addition to energy from only renewable sources. Thus, the possibility to purchase renewable energy should be expanded and replaced by carbon neutral energy.</p> |

<sup>4</sup> 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).

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian comments |
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| 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 Council <sup>5</sup> . Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle <sup>6</sup> , 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” Plan <sup>7</sup> . It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council <sup>8</sup> 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 | 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 Council <sup>11</sup> . Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle <sup>12</sup> , 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” Plan <sup>13</sup> . It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council <sup>14</sup> 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, |                   |

<sup>5</sup> 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).

<sup>6</sup> 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.

<sup>7</sup> 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).

<sup>8</sup> 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).

<sup>11</sup> 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).

<sup>12</sup> 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.

<sup>13</sup> 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).

<sup>14</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>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 Council<sup>9</sup> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>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 Council<sup>15</sup> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> | <p>(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, microplastics, micropollutants and other chemicals. This non-domestic wastewater may come from industries, or commercial establishments, <del>or hospitals and other medical facilities,</del> etc. 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 reuse 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 <b>and/or regulations</b>. 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</p> | <p>According to the comments by Presidency from the WPE meeting on the fourth of September, Member States have a right to decide whether wastewater from hospitals is considered as domestic or non-domestic wastewater depending on how it will be treated. Thus, we would like to remove hospitals and other medical facilities from this recital that refers only to non-domestic wastewater.</p> |

<sup>9</sup> 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).

<sup>15</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                              | Estonian comments                                       |
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| 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 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. |                                                         |
| <del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>16</sup> . |                                                                                                                                                                                                                                                                                                                                                                                                                | Making a separate recital for this content is suitable. |
| (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,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                | Text proposal is suitable.                              |

<sup>16</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian comments                                                       |
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| <p>minimum recovery rates should be defined at Union level.<br/> <u><b>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</b></u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                         |
| <p>(29) <del>Additional</del> <b>Adequate</b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b>sewer</b> overflows and <b>polluted</b> urban runoff <b>discharges. Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 8<sup>th</sup> Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> | <p>(29) Adequate monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, sewer overflows and polluted urban runoff discharges. Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions. To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. The monitoring frequencies should be aligned to the current best practices, as currently practiced in Switzerland. To remain cost-effective, those obligations <b>for the removal of micropollutants should be adapted considering the results of risk-assessment to the size of the urban wastewater treatment plants and of the agglomerations.</b> The monitoring will also contribute to provide data for the overall Environmental Monitoring Framework as set up under the 8<sup>th</sup> Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> | <p>These changes are related to our previous proposal on Article 8.</p> |
| <p>(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, <b>for the</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Text proposal is suitable.</p>                                       |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Estonian proposal | Estonian comments          |
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| <p><b><u>development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>17</sup>.</p> |                   |                            |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                          |                   |                            |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity.</b></p>                                                                                                                                                                                                                                                                                            |                   | Text proposal is suitable. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                            |

<sup>17</sup> 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).

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal | Estonian comments                                      |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                                                        |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                                                        |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                                                        |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to</del> <b>sustainable levels</b> 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. |                   | The proposed change in wording is suitable in general. |

## ARTICLE 2 – DEFINITIONS

| New text proposal_Clusters1,3,5                                              | Estonian proposal | Estonian comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                   |                   |
|                                                                              |                   |                   |
| For the purpose of this Directive, the following definitions apply:          |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                               | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del>                                                                                                                                                                                                                                                                                                                       | (1) 'urban wastewater' means domestic wastewater or domestic wastewater mixed with either non-domestic wastewater <b>and or</b> urban runoff, or both of them;                                                                                                                                                                                                                                  | The previous wording is more correct and understandable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and</del> services <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                 | This definition is suitable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| (3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged into collecting systems from premises used for either the following:<br><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution;</del><br>(c) <del>or industrial</del> <b>or economical</b> activities;<br><br><u><del>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</del></u> | (3) 'non-domestic wastewater' means wastewater, other than domestic wastewater and urban runoff, which is discharged from premises used for the exercise of a trade or industrial <b>or economical</b> activities.                                                                                                                                                                              | We do not support including economical activities under the scope of this definition as it is very broad term which makes it difficult to draw a line regarding the exact activities that fall within the scope of economical activities as well as non-domestic wastewater.<br><br>We in general prefer to return to the previous wording of the definition proposed by Swedish Presidency (REV 01_text proposal) to narrow the scope of this definition to a more reasonable and limited extent.                                                                                          |
| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> pollution load of urban wastewater is sufficiently concentrated ( <del>taking as a reference 10 p.e. per hectare or above</del> ) for urban wastewater to be collected and conducted to <b>one or more</b> an urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <u><del>into receiving waters;</del></u>                                                                                | (4) 'agglomeration' means an area where the population (expressed in population equivalent), <b>combined or not with and/or</b> economic activities is sufficiently concentrated for urban wastewater to be collected and conducted to one or more urban wastewater treatment plants or to one or more final discharge points <b>or for treated effluent to be discharged into a recipient.</b> | We prefer that the proposed 'population combined or not with economic activities' should be replaced with 'population and/or economic activities' as it is in the current Directive because the text proposed by the Presidency always expects the occurrence of sufficiently concentrated population but the wording of the current Directive also provides flexibility to consider only economic activities as well.<br><br>We would not completely delete 'receiving waters' but rather replace it with 'recipient' which is a broader term and includes also receiving waters and soil. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal                                                                                                                                                                                                                                                          | Estonian comments                                                            |
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| (5) 'urban runoff' means <del>precipitation rainwater</del> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                    | (5) 'urban runoff' means <b>precipitation storm water</b> from agglomerations collected by combined or separate sewers;                                                                                                                                                    | We still see that 'storm water' is more appropriate term here.               |
| (6) ' <del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                            | This definition is suitable.                                                 |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                            |                                                                              |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <b>including urban runoff</b> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                            | We are pleased that urban runoff has been brought back into this definition. |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or</b> either of the following:<br><del>(a) domestic urban wastewater not including urban runoff;</del><br><del>(b) non-domestic wastewater</del> <b>non-domestic wastewater</b> ;<br><del>(c) a mixture of domestic and non-domestic wastewater;</del><br><del>(d) rainwater from agglomerations;</del> |                                                                                                                                                                                                                                                                            | This definition is suitable.                                                 |
| (10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day</del> ;                                                                                                                     | (10) '1 population equivalent' or '(1 p.e.)' means the <b>unit of average potential organic biodegradable load caused by one person per day expressed through organic biodegradable load having a five-day</b> biochemical oxygen demand (BOD5) of 60 g of oxygen per day; | We still believe that this definition could be more precise.                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                           | Estonian proposal                                                                                                                                                                                                                                                                                                    | Estonian comments                                                                               |
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| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%. |                                                                                                                                                                                                                                                                                                                      | The introduction of the definition of primary treatment from the current Directive is suitable. |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process which <del>reduces removes most of</del> biodegradable organic matter <del>in from</del> urban wastewater;                                                                            |                                                                                                                                                                                                                                                                                                                      | This definition is suitable.                                                                    |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> by a process which removes nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                      | This definition is suitable.                                                                    |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> reduces a broad spectrum of micropollutants <del>in from the</del> from urban wastewaters;                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                      | This definition is suitable.                                                                    |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue</del> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <del>debris, grit, grease, other debris</del> and any other screenings residues from the <del>first</del> pre-treatment step);       | (14) 'sludge' means <b>mainly organic and inorganic residue-biodegradable waste</b> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding grit, <b>grease, and</b> other debris, <b>grease</b> and any other residues from the <b>pre- preliminary</b> treatment step); | The scope of the new proposed 'sludge' definition is quite good but could be improved a bit.    |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                             |                                                                                                                                                                                                                                                                                                                      |                                                                                                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                | Estonian comments                                                                                       |
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| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>18</sup> ; | (16) 'micropollutant' means a substance, including its breakdown products, <b>that is usually present in the environment and urban wastewaters in very low concentrations, usually in micrograms per litre or below, and in low concentrations</b> which can be considered hazardous to human health or the environment based on any of the relevant criteria set out in Part 3 and Part 4 of Annex I to Regulation EC 1272/2008 <sup>19</sup> ; | We still believe that the definition of micropollutant should include a reference to the concentration. |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                  | This definition is suitable.                                                                            |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                         |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                  | This definition is suitable.                                                                            |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      | (20) 'sanitation' means facilities and services <b>such as flush and dry toilets,</b> for the safe <b>management and disposal</b> of human urine, faeces, and menstrual blood, <b>among others</b> ;                                                                                                                                                                                                                                             | The scope of the new proposed 'sanitation' definition is quite good but could be improved a bit.        |

<sup>18</sup> 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).

<sup>19</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | Estonian proposal                                                                                                                                                                                                                     | Estonian comments                                                                                                                                                                                                    |
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| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                      |
| (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; |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                      |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                      |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                      |
| (25) <b>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                           | (25) 'load' means the amount of <b>organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or</b> any pollutant or nutrient <b>in urban wastewater,</b> expressed in <b>p.e. or</b> mass unit per time. | We prefer to return to the previous wording of the definition proposed by Swedish Presidency (REV 01_text proposal) as the loads of other pollutants in addition to BOD5 and nutrients can also be expressed in p.e. |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | Estonian proposal | Estonian comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                   |                   |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                   |                   |
|                                                                                                                                                                |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                           | Estonian proposal | Estonian comments          |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                              |                   |                            |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                             |                   |                            |
|                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                            |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e.</del> and above comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <del>domestic</del> <b>urban</b> wastewater are connected to the collecting system.</p> |                   | Text proposal is suitable. |
|                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                            |



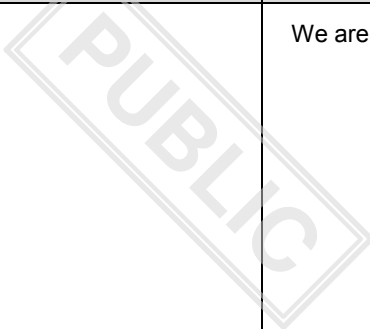
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4, By 31 December 2030 2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>2. Member States shall ensure that agglomerations between <del>1000</del> 1500 and 2000 p.e. comply with the requirements of paragraph 1 by 31 December <del>2033</del> 2040.</p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p>                                                                                                                                                                                 | <p>We in general support the idea of applying risk-based approach, but we still consider it as a major problem that this Article 3 applies also to agglomerations between 1000 and 2000 p.e. We believe that the large-scale investments (more than 100 M€) for building sewerage (~120 km) to agglomerations between 1000 and 2000 p.e in the territories of smaller local governments (in addition, the residents of the local governments have to build pipelines inside their property to connect to the collecting system) would not be cost-effective and proportional to accompanying environmental benefits.</p> <p>Thus, we propose as a compromise to bring the widening of the scope of the Directive to 1500 p.e to better manage the investment needs (up to 40 M€, ~44 km sewerage) and to extend the deadline at least to 2040. This enables to exclude smaller agglomerations where deciding on environmental protection intervention is more reasonable at a Member State level by taking into account the environmental protection characteristics of the specific agglomeration. Deadline must be extended at least to 2040 as amending national legislation according to new requirements of the Directive, allocating financial resources (subsidies are still necessary), making the necessary investments (planning and building collecting systems) and connecting sources of urban wastewater to the constructed collecting systems will take more time than is expected in the Proposal.</p> |
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <del>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</del> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p>                                                                                                          | <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <u>based on calculated-on-the basis of</u> the maximum average weekly load <u>generated in that agglomeration entering the treatment plant</u> during the year, excluding unusual situations such as those due to heavy rain. <u>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant, shall also be based on the maximum average weekly load.</u></p> | <p>We do not support these changes in the calculation of the load of an agglomeration as, for example, there might not be WWTP in every agglomeration. By calculating the load of an agglomeration there should be taken into account the largest generated load in p.e. caused by wastewater arising in the agglomeration irrespective of whether it is discharged into a public sewerage system and thereby to urban wastewater treatment plant or not.</p> <p>We propose to reverse the wording of the calculation of the load of an agglomeration back to the version introduced by the SE Presidency.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| New text proposal_Clusters1,3,5                                                    | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
|                                                                                    |                   |                   |
| <b>4 3.</b> Collecting systems shall fulfil the requirements of Part A of Annex I. |                   |                   |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                | Estonian proposal | Estonian comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                   |                   |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                   |                   |
|                                                                                                                                                                |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                   |                   |                   |
| (4); (5); (6)                                                                                                                                                  |                   |                   |
|                                                                                                                                                                |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <p>1. <del>By way of derogation from Article 3, where exceptionally if the establishment of or the connection to a collecting system is not justified either because it would produce no environmental or health benefit, it is not technically feasible or because it would involve excessive cost.</del></p> <p><b>If derogating from Article 3, Member States shall ensure that individual systems for the collection, storage and, when applicable, treatment of urban domestic urban wastewaters ('individual systems') are used for in agglomerations of 1 000 p.e. and above.</b></p> | <p>1. Member States may derogate from Article 3, if the establishment of or the connection to a collecting system is not justified either because it would produce no environmental or health benefit, it is not technically feasible or because it would involve excessive cost.</p> <p>If derogating from Article 3, Member States shall ensure that individual systems for the collection, storage and, when applicable, treatment of urban wastewaters ('individual systems') are used in agglomerations of <b>1 000 1500</b> p.e. and above.</p> | <p>Related to the Estonian new alternative text proposal/comments made on the previous Article 3, we find it important that this requirement would also not apply to agglomerations below 1500 p.e.</p>                                                                                                                                                                                                                                                                                                                                      |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least achieves</del> the same level of <b>environmental protection treatment</b> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                 | <p>2. Member States shall ensure that individual systems <b>for the treatment of urban wastewater</b> are designed, operated and maintained in a manner that achieves the same level of environmental protection as the secondary and, <b>when applicable</b>, tertiary treatments referred to in Articles 6 and 7. <b>Member States shall ensure that urban wastewater that is pumped out from a wastewater collection tank is subject to secondary and, when applicable, tertiary treatments referred to in Articles 6 and 7.</b></p>               | <p>As individual systems include individual wastewater treatment plants as well as collection tanks, we still believe that in this paragraph a clear distinction should be made between the requirements for individual wastewater treatment plants and collection tanks. Wastewater that is collected into a leak-proof wastewater collection tank and discharged into sewer discharge stations shall be subject to secondary and, when applicable, tertiary treatment (together with urban wastewater that enters collecting systems).</p> |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used in</b> agglomerations of <b>1 000 p.e. and above</b>, <del>where individual systems are used</del> are registered in a <b>public national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local level.</b></p>                                                       | <p>3. [NEW] Member States shall ensure that individual systems that are used in agglomerations of <b>1 000 1500</b> p.e. and above, are registered in a national, regional or local registry and that regular inspections or other means of regular checks or control of those systems, on the basis of a risk-based approach, are carried out by the appropriate authority or other body authorised at national, regional or local level.</p>                                                                                                        | <p>We in general are pleased with the changes made. However, related to the compromise Estonian text proposal/comments made on the previous Article 3, we find it important that this requirement would also not apply to agglomerations below 1500 p.e.</p>                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Estonian comments                                                                                                                                                                                                                                                                                             |
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| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>24 months</u> from the entry into force of this Directive.</b></p>                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>We are pleased that implementing acts have been kept.</p>                                                                                                                                                                                                                                                  |
| <p><b>45.</b> Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations in each of the agglomerations</del>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>© demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated implementing</del> power under that paragraph.</p> | <p>5. Member States that use individual systems to <b>collect and/or</b> treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above shall provide the Commission with a justification for the use of individual systems in each of the agglomerations. That justification shall:</p> <p>(a) demonstrate that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 and 3;</p> <p>© demonstrate compliance with the minimum requirements referred to in paragraph 4 where the Commission has exercised its implementing power under that paragraph.</p> | <p>As individual systems (also in accordance with paragraph 1) include individual wastewater treatment plants (for treating wastewater) and collection tanks (only collection and storage of wastewater), this requirement should be applied to both of them.</p> <p>Other proposed changes are suitable.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal | Estonian comments                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------------------------------|
| <p><b>56.</b> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive.</b></p> |                   | <p>The proposed deadline is suitable.</p> |

## ARTICLE 5 – INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                            | Estonian proposal | Estonian comments |
|----------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                  |                   |                   |
| <p>(3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'</p> |                   |                   |
|                                                                                                                            |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                        |                   |                   |
| <p>(7); (8)</p>                                                                                                            |                   |                   |
|                                                                                                                            |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                   | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. By 31 December <del>2030</del> <b>2035</b>, Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of</b> 24imples24g24tion of 100 000 p.e. and above.</p> | <p>1. By 31 December 2035, Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of</b> agglomerations of 100 000 p.e. and above <b>or for their catchment areas</b>. <b>Member States shall have a right to decide whether an integrated urban wastewater management plan is established separately or jointly for agglomerations of 100 000 p.e. and above or for their catchment areas.</b></p> | <p>We believe that the requirement to prepare a separate integrated urban wastewater management plan for each drainage area of agglomerations would be unreasonable and too burdensome.</p> <p>We in general agree that with regard to collection and management of storm water, a catchment area-based approach is necessary to ensure a comprehensive solution to storm water problems (for example to reduce pollution caused by storm water through polluted discharges of urban runoff and sewer overflow). However, there should be clearly written that Member States shall have a flexibility to decide whether an integrated urban wastewater management plan is separately prepared for each agglomeration of 100 000 p.e. and above (or for its catchment area) or joint plans are prepared, for example, for several agglomerations or for their catchment areas. In our opinion it is not important that separate plans for each agglomeration or catchment area are prepared, the main thing is that all agglomerations or catchment areas that fall within the scope of this article are covered by the plan/plans.</p> |
|                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Estonian proposal                                                                                    | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b>polluted discharges of</b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>© <del>sewer storm water</del> overflow or <b>polluted discharges of</b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>20</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>21</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>22</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p style="text-align: center; opacity: 0.5; font-size: 100px; transform: rotate(-30deg);">PUBLIC</p> | <p>The methodology for calculating the proportion of sewer overflow from the annual collected urban wastewater load of the referred parameters should be provided by the Commission as soon as possible and it should also be given in the Directive. If the methodology is known, only then it is possible to assess whether this 3% in (b) is reasonable or should be even higher.</p> <p>Other proposed changes are suitable in general.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                               | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                        | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 3. By 31 December 2035 <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 | 3. By 31 December 2040, Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of</b> agglomerations referred to in paragraph 2 <b>or for their catchment areas. Member States shall have a right to decide whether an integrated urban wastewater management plan is established separately or jointly for agglomerations referred to in paragraph 2 or for their catchment areas.</b> | <p>As already mentioned under the comments of paragraph 1, we believe that the requirement to prepare a separate integrated urban wastewater management plan for each drainage area of agglomerations would be unreasonable and too burdensome.</p> <p>We in general agree that with regard to collection and management of storm water, a catchment area-based approach is necessary to ensure a comprehensive solution to storm water problems (for example to reduce pollution caused by storm water through polluted discharges of urban runoff and sewer overflow). However, there should be clearly written that Member States shall have a flexibility to decide whether an integrated urban wastewater management plan is separately prepared for each agglomeration (or for its catchment area) or joint plans are prepared, for example, for several agglomerations or for their catchment areas. In our opinion it is not important that separate plans for each agglomeration or catchment area are prepared, the main thing is that all agglomerations or catchment areas that fall within the scope of this article are covered by the plan/plans.</p> |
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| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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<sup>20</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>21</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>22</sup> Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration

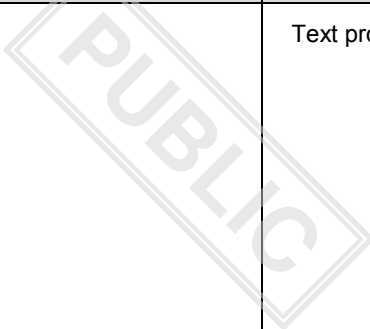


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Estonian proposal | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 6. The Commission is empowered to adopt implementing acts to:<br><br>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;<br><br>(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;<br><br>© determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.<br><br>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).<br><b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive</b> . |                   | Text (including the deadline for the implementing acts) is suitable if the objective of pollution reduction in (b) is not mandatory as was confirmed by the Commission as fixed size for all overflows is not a reasonable solution, considering that achieving compliance with this criterion can be very costly, while the effect obtained from it is not very big (especially if the water quality of the receiving waters meets the criteria of good condition). Moreover, more precise criteria could be set for a specific overflow taking into account the local environmental condition of the specific receiving waters. |
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| New text proposal_Clusters1,3,5                                                                                                                                                                     | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p> | <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed at least every six years after their establishment and updated where necessary.</p> <p><b>8. [NEW] Member States can replace the obligation to establish separate integrated urban wastewater managements plans referred to in paragraph 1 and 3 with other nationally established plan(s) which include at least the same elements as it is set out for integrated urban wastewater management plans in Annex V.</b></p> | <p>We still find it necessary to add a new paragraph to Article 5. In Estonia there are several existing nationally established plans which match the scope of the integrated urban wastewater management plans and already include the same elements as it is set out in the Proposal for integrated urban wastewater management plans in Annex V. Thus, we do not see the need for the preparation and establishing new separate integrated urban wastewater managements plans. In order to optimize administrative burden we see the need that Member States should have an option to use other nationally prepared and established plans which include at least the same elements as it is set out for integrated urban wastewater management plans to 28imple this obligation.</p> |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                    | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
| (11) 'secondary treatment'                                                         |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (12); (8bis)                                                                       |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Estonian proposal                                                                   | Estonian comments                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------|
| <p>1. <del>For agglomerations of 2 000 p.e. and above, Member States shall ensure that urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</del></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on [please insert the date = date if entry into force of this directive];, the obligations set out in the first paragraph shall not apply until 31 December 2030.</del></p> <p><del>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the on [please insert the date = date if entry into force of this Directive] and fifteen years in the case of Madeira after the entry into force of this Directive.</del></p> |  | <p>Text proposal is suitable in general.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Estonian comments                                                                                                                                                                                                                                     |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> urban waste water entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</b> <del>accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> | <p>2. Member States shall ensure that urban wastewater treatment plants serving agglomerations of between <b>1 000 1500</b> p.e. and 2 000 p.e., by 31 December <b>2033 2040</b> meet the relevant requirements for secondary treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I before discharge into receiving waters.</p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>In relation to the new Estonian compromise text proposal/comments made on Article 3(2), we find it important that this requirement would also not apply to agglomerations below 1500 p.e and the deadline should be extended at least to 2040.</p> |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>This addition is suitable.</p>                                                                                                                                                                                                                     |
| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The deletion here is acceptable.</p>                                                                                                                                                                                                               |

| New text proposal_Clusters1,3,5 | Estonian proposal | Estonian comments |
|---------------------------------|-------------------|-------------------|
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ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~  
**SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (16)                                                                               |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Estonian comments                                                                                                                                               |
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| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> | <p>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 measures to reduce the use of energy <b>and/or</b> enhance the production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing greenhouse gas <b>methane</b> emissions. The first audits shall be carried out:</p> <p>(a) by 31 December 2030 for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December 2035 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.</p> | <p>Text proposal is suitable in general. However, the word of 'methane' is redundant when 'greenhouse gas' has already been mentioned in the same sentence.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>© 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, based on the results of the audits referred to in paragraph 1.</p> <p>This energy will be produced from urban wastewater resources, on or off-site. A maximum of <b>25% 50%</b> of energy may be produced or purchased from external <b>carbon neutral energy renewable</b> sources <b>not related to urban wastewater treatment activities.</b></p> <p>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</p> <p>(a) 20 % of the total annual energy used by such plants by 31 December <b>2030 2035</b>;</p> <p>(b) 60% of the total annual energy used by such plants by 31 December <b>2035 2040</b>;</p> <p>© 100 % of the total annual energy used by such plants by 31 December <b>2040 2045</b>.</p> | <p>We in general agree with the aim to move towards climate neutral energy in wastewater treatment sector but in Estonian context producing 75% of total annual energy from urban wastewater resources is not feasible and would require excessive investments. We see that there must be possible to purchase more than only 25% carbon-neutral electricity from the market as an alternative choice to self-production. As a compromise we make an alternative proposal that the share of carbon neutral energy that is allowed to be purchased or produced from external sources not linked with urban wastewater treatment must be increased at least to 50% and the deadline extended at least to 2045.</p> <p>As already described in the previous Estonian comments on this article 11, in Estonia it has been estimated that the potential of biogas produced from sludge is on average 20% of WWTPs' total electricity consumption. Remaining electricity consumption could be covered by installing solar power plants. However, the latter do not fit in the territories of all WWTPs and there is a need for establishing supporting grid and it puts artificial pressure for WWTPs to take market risks (for example price risk of overproduction). We in general believe that professional electricity producers are more effective and more sustainable. Thus, the share of carbon neutral energy that is allowed to be purchased or produced from external sources not linked with urban wastewater treatment must be increased at least to 50%. Deadline must also be extended at least by 5 years as making the necessary preparations and constructing the facilities need more time. Moreover, subsidies are needed for making the necessary investments.</p> <p>We also believe that climate neutrality target can also be achieved with other carbon neutral energy sources (e.g nuclear energy, etc) in addition to energy from only renewable sources. Thus, the possibility to purchase renewable energy should be expanded and replaced by carbon neutral energy.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

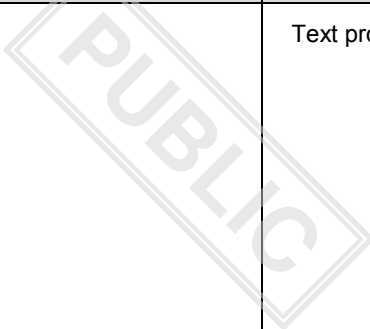
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian comments                                                                                                                         |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. | <p><b>1.</b> Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account.</p> <p><b>2. [NEW] By way of derogation from paragraph 1 Member States may take into account that the requirements for total nitrogen removal in tertiary treatment set out in Article 7 and Table 2 of Annex I may not be achieved when the temperature in the biological reactor is at or below 12 °C.</b></p> | As nitrogen removal technology is sensitive to cold, we consider it important that this would also be taken into account in this Article. |



## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
| (3) 'non-domestic wastewater'                                                      |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (19)                                                                               |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Estonian comments                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules regulations</del> and/or specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p><del>Those general binding rules prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</del></p> <p><del>Where general binding rules regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants,</del> Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>© <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> | <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior regulations and/or specific authorisations by the competent authority or appropriate body.</p> <p>Those prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</p> <p>Where regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority or appropriate body:</p> <p>(a) consults and informs the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) on request 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 <b>on request</b>.</p> <p><del>© Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</del></p> | <p>There still should be specified which other Union legislation is meant under this paragraph.</p> <p>We do not support the addition of © as it is unnecessary and would lead to an excessive increase in the administrative burden. Operators of wastewater treatment plants are the most competent to assess which wastewater their wastewater treatment plant is capable to treat.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                    | Estonian comments                                                                                                                                                           |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>23</sup>;</p> <p>© treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>© the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                                                                                                                                                                                                                                                                                                                                   | <p>Text proposal is suitable.</p>                                                                                                                                           |
| <p>3. The <b>general binding rules regulations and</b> specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>3. The regulations and <b>or</b> specific authorisations referred to in paragraph 1 of this Article shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p> | <p>If an annex could not be changed through an implementing act, we would like to better define the power or functions here that have been delegated to the Commission.</p> |

<sup>23</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Estonian comments                                                                                                                                                                                                                                                                                        |
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| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every 6 ten years.</p> <p>The <del>general binding rules</del> <u>regulations</u> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> | <p>4. The specific authorisations <b>and/or regulations</b> referred to in paragraph 1 shall be reviewed and, where necessary, adapted <b>at least every ten years on a risk basis.</b></p> <p><b>The regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the specific authorisations shall be reviewed and adapted to these changes.</p> | <p>Reviewing all of the specific authorisations at least every ten years without no significant reason is unnecessary and burdensome. Therefore, we propose to replace this ten-year requirement with a risk-based approach and apply this for both the specific authorisations and for regulations.</p> |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | Estonian proposal | Estonian comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
| <p>(3) 'non-domestic wastewater'</p>                                                      |                   |                   |
|                                                                                           |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                   |                   |
| <p>(21)</p>                                                                               |                   |                   |

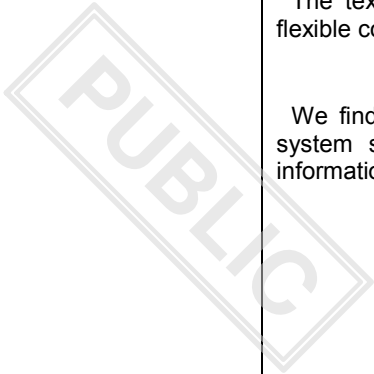
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Estonian proposal | Estonian comments |
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| <p>1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del><b>Part</b> B of Annex I.</p>                                                                                                                                                                                                                                                                            |                   |                   |
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| <p><b>2.</b> The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>24</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |                   |                   |

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                           | Estonian proposal | Estonian comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |

<sup>24</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

| New text proposal_Clusters1,3,5                                              | Estonian proposal | Estonian comments |
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| (21) 'antimicrobial resistance'                                              |                   |                   |
|                                                                              |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                   |                   |
| (22); (23)                                                                   |                   |                   |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>© influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>© contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 4, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 4</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <p><b>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</b></p> <p><b>(ii) poliovirus;</b></p> <p><b>(iii) influenza virus;</b></p> <p><b>(iv) emerging pathogens;</b></p> <p><b><u>(v) contaminants of emerging concern;</u></b></p> <p><b><u>(vi)</u> (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></p> <p>(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 4(a), <del>taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>© the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> |  | <p>The text proposal is suitable in general as it is more flexible compared with the previous versions.</p> <p>We find that setting up urban wastewater surveillance system should be mandatory as it provides valuable information for making decisions related to public health.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal | Estonian comments                  |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                                    |
| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> <del>at least 70 % of the national population. Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> And at least one sample shall be taken per week for agglomerations of 100 000 p.e. and <del>more.</del> This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>25</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>26</sup>.</del></p> |                   | The proposed changes are suitable. |
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<sup>25</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>26</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian comments                                                                                                                                                                                                                                            |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p><b>By [OP please insert the date = the last day of the second year from the date of entry into force of this Directive], The the Commission shall may shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> a uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> | <p>3. For agglomerations of 100 000 p.e. and above, Member States shall, by [OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph], ensure that antimicrobial resistance is monitored in urban wastewater.</p> <p>By [OP please insert the date = the last day of the second year from the date of entry into force of this Directive], the Commission <b>may</b> shall adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure a uniform application of this Directive by establishing a minimum frequency of sampling and a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> | <p>We are pleased that the deadlines have been extended and are now more realistic. We are also pleased that the monitoring frequency of AMR has been specified in the text.</p> <p>'May' in the second subparagraph is redundant and should be deleted.</p> |
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| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                              |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | Estonian proposal | Estonian comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
| <p>(14) 'sludge'</p>                                                                      |                   |                   |
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| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                     | Estonian comments                                                                                                                                                                                                                                                                                                               |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                 |
| 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, <b>preparing for</b> reuse, <del>and recycling and other material recovery</del> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The proposed changes in wording are suitable.                                                                                                                                                                                                                                                                                   |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking</b> in order to take into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery. <del>In sludge and wastewater. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</del> | 2. The Commission is empowered to adopt implementing acts to set out the minimum reuse and recycling rates for phosphorus from sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1)</b> , taking into account available technologies, resources, and economic viability for phosphorus recovery. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). | We are pleased that implementing acts have been kept in this article.<br><br>Reuse and recycling of phosphorus from urban wastewater is a completely new topic in the context of this article of sludge which significantly broadens the scope, thus we do not support inclusion of urban wastewater in this article of sludge. |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian comments                                                                                                                                                                                                                                                                                                                |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                  |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                  |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>© <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>© <del>the greenhouse gases methane produced and the</del> energy used and produced by urban wastewater treatment plants of <del>above</del> 10 000 p.e <b>and above.</b></p> | <p>1. Member States shall ensure that <b>competent authorities, appropriate bodies or urban</b> the operator of the wastewater treatment plant monitor:</p> <p>(a) discharges from urban wastewater treatment plants to verify compliance with the requirements of Part B of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I and including loads and concentrations of the parameters listed in Tables 1, 2 and 3 of Annex I;</p> <p>(b) amounts, composition and destination of sludge, taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</p> <p>© the quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</p> <p>(d) the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</p> <p>© the energy used and produced by urban wastewater treatment plants of 10 000 p.e and above.</p> | <p>We believe that the operators of the WWTP-s rather than competent authorities and appropriate bodies have the respective competence and should bear this obligation to monitor their wastewater treatment plant.</p> <p>The required monitoring frequency of greenhouse gases emissions should be given in the Directive.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> <b>into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> | <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that <b>competent authorities, appropriate bodies or</b> operators of the collecting system carry out representative monitoring of sewer overflows and polluted discharges of urban runoff into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> | <p>We believe that the operators of the collecting systems rather than competent authorities and appropriate bodies have the respective competence and should bear this obligation to monitor sewer overflows and polluted discharges of urban runoff.</p> <p>With regard to monitoring of the content of relevant micropollutants, we still believe that it is important to specify which micropollutants are considered 'relevant' or how to assess this relevance in this case.</p> <p>We would still like to specify what is meant by representative monitoring of sewer overflows and polluted discharges of urban runoff.</p> |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <p>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</p> <p>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>27</sup>;</p> <p>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>28</sup>;</p> <p>(iv) Annexes I and II to Directive 86/278/EEC.</p> <p>(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;</p> <p>© the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> <p><b><u>4.</u></b> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b><u>3</u></b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6–7</del> months between the samples, for agglomerations of <del>100 000</del> <b><u>150.000</u></b> p.e. and <del>more</del> <b><u>above</u></b>;</p> | <p>3. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that <b><u>competent authorities, appropriate bodies or</u></b> the operator of the wastewater treatment plant monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <p>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</p> <p>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>29</sup>;</p> <p>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>30</sup>;</p> <p>(iv) Annexes I and II to Directive 86/278/EEC.</p> <p>(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.</p> <p><b><u>© the presence of microplastics.</u></b></p> <p><b><u>[NEW] The specific list of pollutants and parameters listed in (a) and (b) to be monitored in Member States will be decided at a national level on a basis of a risk assessment and/or on the basis of the results of national monitoring.</u></b></p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as if it can be demonstrated, inter alia for instance on the basis of monitoring results, that they are absent in urban wastewaters or they may be contained in urban wastewater but are not considered at a national level as a risk to local water bodies or human health on the basis of, for example, national monitoring or risk assessment results.</u></b></p> <p>For all agglomerations of <del>above</del> 10 000 p.e. <b><u>and above</u></b>, Member States shall ensure that <b><u>competent authorities, appropriate bodies or</u></b> the operator of the wastewater treatment plant monitor the presence of micro-plastics <b><u>at the inlets and outlets of urban wastewater treatment</u></b></p> | <p>We believe that the costs associated with adding a large number of mandatory pollutants and parameters that require monitoring should not cause a significant economic burden and not be disproportionately high.</p> <p>We are pleased with this new addition according to which pollutants listed under points (a) and (b) may be excluded from the monitoring if it can be demonstrated that they are absent in urban wastewaters. However, we find that this paragraph needs more flexibility in a way that pollutants listed under points (a) and (b) may also be excluded from the monitoring if they are contained in urban wastewater but are not considered as a risk to local water bodies or human health on the basis of, for example, national monitoring or risk assessment results.</p> <p>It is not cost-effective and reasonable to monitor those pollutants that are not considered as a problem/risk to water bodies and/or human health at a national level or that are not even used in a Member State.</p> <p>The specific list of pollutants and parameters to be monitored should be decided at a national level. The competent authorities of the Member States should have the possibility to set the monitoring obligation for these pollutants and parameters for each specific wastewater treatment plant on a basis of a risk assessment or on the basis of the results of national monitoring.</p> <p>For example, Estonia is currently in the process of renewing national regulations on hazardous substances that are discharged into public sewage system as well as effluent limit values of hazardous substances. The list of pollutants that will be involved in these national regulations will be based on hazardous substances that are regulated in surface water bodies. Monitoring of the entire list of hazardous substances involved in national regulations will not be mandatory for all urban wastewater treatment plants, but the competent authorities will decide depending on the specific situation which substances exactly will be monitored in a specific urban wastewater treatment plant (this system has also functioned effectively in the current national regulations).</p> <p>Threshold in point (b) of paragraph four should be aligned with the changes made in point (a).</p> <p>As according to paragraph 5 the Commission will provide the methodologies for measuring greenhouse gas</p> |
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- 27 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 28 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).
- 29 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 30 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Estonian comments                                                                                                                                                                                                                                                        |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> | <p><b>plants and also</b> in the sludge, when relevant and, notably, when <b># sludge</b> is reused in agriculture.</p> <p>4. The monitoring referred to in paragraph 3 shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum 7 months between the samples, for agglomerations of 150.000 p.e. and above;</p> <p>(b) at least one sample every two years for agglomerations of between 10 000 p.e. and <b>400 000 150 000</b> p.e.</p> <p><b>[NEW] This monitoring frequency may be halved in subsequent years if the monitoring results for the pollutants referred to in paragraph 3 are below applicable Environmental Quality Standards under Directive 2008/105/EC during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</b></p> <p>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</p> <p><b>Member States shall by [OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the previous subparagraph], ensure that greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge are measured.</b></p> | <p>emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge by 24 months from the entry into force of this Directive, then it should be taken into account when establishing the start time of monitoring these parameters.</p> |
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## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian proposal | Estonian comments                     |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                                       |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                                       |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                                       |
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| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(b) the identification and planning of investments required to implement this Directive for each agglomeration, including an indicative financial estimation and a 50imples50g50tion of those investments related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>© an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                   | Text proposal is suitable in general. |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | Estonian proposal | Estonian comments                                                                         |
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| 2. By [OP: please insert the date = the last day of the <del>thirty fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.                            |                   | Text proposal is suitable in general.                                                     |
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| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                   | Text proposal is suitable in general.                                                     |
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| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                   | The proposed addition 51impl51gg the deadline for adopting implementing acts is suitable. |
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| <p><b>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</b></p> <p><b>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</b></p> <p>(i) <b>less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p>(ii) <b>the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- <b>the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></li> <li>- <b>a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</b></li> </ul> <p><b>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</b></p> <p>(i) <b>at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p>(ii) <b>the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- <b>the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></li> <li>- <b>a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</b></li> </ul> <p><b>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if</b></p> | <p>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</p> <p>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</p> <p>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations between <del>1 000</del> <b>1500</b> and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</p> <p>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)].</p> | <p>The proposed replacement of the agglomeration load is related to our alternative proposal for the scope of the Directive. We believe that the large-scale investments (more than 100 M€) for building sewerage (~120 km) to agglomerations between 1000 and 2000 p.e in the territories of smaller local governments (in addition, the residents of the local governments have to build pipelines inside their property to connect to the collecting system) would not be cost-effective and proportional to accompanying environmental benefits. Thus, we propose as a compromise to bring the widening of the scope of the Directive to 1500 p.e to better manage the investment needs (up to 40 M€, ~44 km sewerage).</p> <p>We also believe that in smaller agglomerations it is more reasonable to leave the discretion on deciding environmental protection intervention to the Member States by taking into account the environmental protection characteristics of the specific agglomeration at national level.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                    | Estonian proposal | Estonian comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                   |                   |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (34)                                                                               |                   |                   |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Estonian proposal | Estonian comments                                                                                                                         |
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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                   | <p>With regard to this article we support applying the same wording as in the general approach to the industrial emissions directive.</p> |
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| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                                                                                                                                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | Estonian proposal | Estonian comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian proposal | Estonian comments                                                                                                                  |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                                                                                                                                    |
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| 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.                                                                                                                        |                   | With regard to this article we support applying the same wording as in the general approach to the industrial emissions directive. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                                                                                                                                    |
| <del>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.</del> |                   |                                                                                                                                    |
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| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                   |                                                                                                                                    |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                            | Estonian proposal | Estonian comments |
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| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                               |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |
| 5 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                   |                   |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (35)                                                                               |                   |                   |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian comments                                                                                                                                                                                                                                         |
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| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | With regard to this article we in general support applying the same wording as in the general approach to the industrial emissions directive.                                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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 <del>4(3)</del> , <del>7(4)</del> , <del>8(5)</del> , <del>9(2)</del> , 14(3), <del>20(2)</del> , 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. | These changes are related to Estonian text proposals/ comments previously made on Article 4(3) (according to the new numeration Article 4(4)), Article 7(4), Article 8(5) (according to the new numeration Article 8(6)), Article 9(2) and Article 20(2). |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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 <del>4(3)</del> , <del>7(4)</del> , <del>8(5)</del> , <del>9(2)</del> , 14(3), <del>20(2)</del> , 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.                                                                                                                      | These changes are related to Estonian text proposals/ comments previously made on Article 4(3) (according to the new numeration Article 4(4)), Article 7(4), Article 8(5) (according to the new numeration Article 8(6)), Article 9(2) and Article 20(2). |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Estonian comments                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                           |
| 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. | 6. A delegated act adopted pursuant to Articles 4(3), 7(4), 8(5), 9(2), 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. | These changes are related to Estonian text proposals/ comments previously made on Article 4(3) (according to the new numeration Article 4(4)), Article 7(4), Article 8(5) (according to the new numeration Article 8(6)), Article 9(2) and Article 20(2). |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | Estonian proposal | Estonian comments |
|------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                   |                   |
|                                                                                                                  |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                   |                   |
| (36)                                                                                                             |                   |                   |
|                                                                                                                  |                   |                   |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                   |                   |



| New text proposal_Clusters1,3,5                                                                     | Estonian proposal | Estonian comments |
|-----------------------------------------------------------------------------------------------------|-------------------|-------------------|
| implementation of the directive on urban wastewater treatment.                                      |                   |                   |
|                                                                                                     |                   |                   |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                   |                   |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal | Estonian comments                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                                                                                                                                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                                                                                                                                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                                                                                                                                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                   | <p>With regard to this article we support applying the same wording as in the general approach to the industrial emissions directive.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Estonian proposal | Estonian comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p>© <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p>© <b>the repetitive or singular character of the infringement</b>;</p> |                   |                   |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | Estonian proposal | Estonian comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Estonian comments                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                               |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>© relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>© 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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> | <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>© relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>© <del>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,</del> improved knowledge on the presence of micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> | <p>With regard to deletion in ©, we find that Member States shall have a right to decide at a national level on implementation and extent of extended producer responsibility system taking into account local conditions (including product categories on which this system applies to).</p> |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                               |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | Estonian proposal | Estonian comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                   |                   |
|                                                                                                                                                                                                                                        |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                   |                   |
|                                                                                                                                                                                                                                        |                   |                   |
| 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. |                   |                   |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | Estonian proposal | Estonian comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                   |                   |
|                                                                                                                                                                                                                     |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                   |                   |
| (42); (43)                                                                                                                                                                                                          |                   |                   |
|                                                                                                                                                                                                                     |                   |                   |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal | Estonian comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | Estonian proposal | Estonian comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                   |                   |
|                                                                                                                                                    |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                   |                   |
|                                                                                                                                                    |                   |                   |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | Estonian proposal | Estonian comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                   |                   |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | Estonian proposal | Estonian comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                   |                   |
|                                                                                                                                                                                                   |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                   |                   |
|                                                                                                                                                                                                   |                   |                   |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                   |                   |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Estonian proposal | Estonian comments          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                            |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                            |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                   | Text proposal is suitable. |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | Estonian proposal                                                                                                                                                                                           | Estonian comments                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                             |                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                                                                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                             |                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                                                                   |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                                                                                                                                                                                                             |                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                                                                   |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                                                                                                                                                                                                             | Text proposal is suitable.                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                                                                   |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                                                                                                                                                                                                             | Text proposal is suitable.                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                             |                                                                                                                   |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex</b> .                                             | 4. Discharges from urban wastewater treatment <b>plants referred to in Article 8(1) or</b> serving agglomerations referred to in Article 8(4) shall meet the requirements set out in Table 3 of this Annex. | As we have previously proposed to delete Article 8(1), the reference to Article 8(1) should also be deleted here. |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | Estonian proposal      | Estonian comments                                                                                                                          |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                                                                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic bioreactors shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> bioreactors <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> .               |                        | We are pleased with the proposed changes.                                                                                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                                                                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                        |                                                                                                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                                                                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                        |                                                                                                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                                                                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                        | The proposed addition regarding BOD5 requirements for urban wastewater discharges to waters situated in high mountain regions is suitable. |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>34</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters             | Concentration                                                                                                                              | Minimum percentage of reduction (see Note 4) <sup>34</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration          | Minimum percentage of reduction (see Note 4) <sup>34</sup>                                                                                 | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2)                                                                                                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>34</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | Estonian proposal | Estonian comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC            |                   |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                   |                   |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                   |                   |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                   |                   |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal                                         | Estonian comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                    |                                                           |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                           |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4 : Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> | Table 4 : Requirement for samples                         |                   | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4 : Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Maximum permitted number of samples which fail to conform |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 4                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 5                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 6                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 7                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 8                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 9                                                         |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 10                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 11                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 12                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 13                                                        |                   |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | Estonian proposal | Estonian comments |
|---------------------------------|----|-------------------|-------------------|
| 172-187                         | 14 | PUBLIC            |                   |
| 188-203                         | 15 |                   |                   |
| 204-219                         | 16 |                   |                   |
| 220-235                         | 17 |                   |                   |
| 236-251                         | 18 |                   |                   |
| 252-268                         | 19 |                   |                   |
| 269-284                         | 20 |                   |                   |
| 285-300                         | 21 |                   |                   |
| 301-317                         | 22 |                   |                   |
| 318-334                         | 23 |                   |                   |
| 335-350                         | 24 |                   |                   |
| 351-365                         | 25 |                   |                   |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Estonian proposal | Estonian comments                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                                               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                                               |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>© the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                   | The proposed changes are suitable in general. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian proposal | Estonian comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>© the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                   |                   |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | Estonian proposal | Estonian comments                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                   |                                                                        |
|                                                                                                                                                                             |                   |                                                                        |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                   |                                                                        |
| (12)                                                                                                                                                                        |                   |                                                                        |
|                                                                                                                                                                             |                   |                                                                        |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                   | There still should be specified what is meant by other relevant rules. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal                                                       | Estonian comments                 |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                   |                                                                         |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                         |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                |                                                                         |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                         |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (see Note 1)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two 73imples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. or above<br/>to 99 999 p.e.:</td><td>One sample per week<br/>For micropollutants, two samples per week month.</td></tr></table> | — 1000 to 9 999 p.e.:                                                   | One sample per month (see Note 1) | — 10 000 to 49 999 p. e.: | Two 73imples per month<br>For micropollutants, one sample per month | — 50 000 p.e. or above<br>to 99 999 p.e.: | One sample per week<br>For micropollutants, two samples per week month. | <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 1500 to 9 999 p.e.:</td><td>One sample per month (see Note 1)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two 73imples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. or above:</td><td>One sample per week<br/>For micropollutants, two samples per month.</td></tr></table> | — 1000 1500 to 9 999 p.e.: | One sample per month (see Note 1) | — 10 000 to 49 999 p. e.: | Two 73imples per month<br>For micropollutants, one sample per month | — 50 000 p.e. or above: | One sample per week<br>For micropollutants, two samples per month. | <p>We are in general pleased with the changes made and find that the new monitoring frequency is now suitable.</p> <p>However, as according to our compromise proposal we find it important that the scope of the Directive must not be widened to agglomerations below 1500 p.e, we find that the first range of ‘1000 to 9 999 p.e’ must be replaced with ‘1500 to 9 999 p.e’.</p> |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | One sample per month (see Note 1)                                       |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Two 73imples per month<br>For micropollutants, one sample per month     |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
| — 50 000 p.e. or above<br>to 99 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | One sample per week<br>For micropollutants, two samples per week month. |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
| — 1000 1500 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | One sample per month (see Note 1)                                       |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Two 73imples per month<br>For micropollutants, one sample per month     |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |
| — 50 000 p.e. or above:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | One sample per week<br>For micropollutants, two samples per month.      |                                   |                           |                                                                     |                                           |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                            |                                   |                           |                                                                     |                         |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Estonian comments                                                                                                                                                                                                                                                                                                  |
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| <p>—100.000 p.e. or over:</p> <p>One <del>Two</del> samples per day <del>week</del></p> <p>For <del>micropollutants, two</del> <del>one</del> sample per week</p> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | <p>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                    |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>© for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  | <p>4. The treated urban wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>© for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table. <b>The values for concentration or for the percentage of removal shall apply.</b></p> | <p>The addition of 'urban' is suitable.</p> <p>The addition to (d) is related to our Proposal/comments on Table 3 of Annex I. We believe that with regard to micro-pollutants removal, Member States should also have a possibility to choose between applying limit values and minimum percentage of removal.</p> |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | Estonian proposal | Estonian comments             |
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|                                                                                                                                                                                                                                                                           |                   |                               |
| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                   | This replacement is suitable. |
|                                                                                                                                                                                                                                                                           |                   |                               |
| 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.                                                 |                   |                               |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                | Estonian proposal | Estonian comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                             |                   |                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                   |                   |                   |
|                                                                                                                                                                                |                   |                   |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                               | Estonian proposal | Estonian comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| 7. Production of alcohol and alcoholic beverages<br>8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                   |                   |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                   | Estonian comments                                                                                                                                                           |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                             |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall; | 1. An analysis of the initial situation of the <b>catchment drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage and conducting capacities of that network and the existing urban wastewater treatment capacities in case of rainfall; | We believe that 'catchment area' is a more appropriate term here.<br><br>After including 'polluted urban runoff' in (b), 'urban runoff' is redundant and should be deleted. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Estonian proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Estonian comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>(b) a dynamic analysis of the flows of <b>urban runoff</b>, polluted urban runoff and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>2. Objectives for the reduction of pollution from <del>storm-water sewer</del> overflows and <b><u>polluted discharges of urban runoff discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm-water sewer</del> overflow; represents <del>only no more than 1%</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <del>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</del></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated discharges of urban runoff through separate sewer collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters;</b></p> | <p>2. Objectives for the reduction of pollution from sewer overflows and polluted discharges of urban runoff, including the following:</p> <p>(a) an indicative objective that sewer overflow represents only a small percentage, preferably below 2% percent, of the annual collected urban wastewater load calculated in dry weather <b>conditions-flow</b>;</p> <p>This <b>indicative</b> objective should be met by:</p> <p>(i) 31 December 2040 for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December 2045 for agglomerations of 10 000 p.e. and above referred to of Article 5(2);</p> <p>(b) the progressive reduction of pollution load from discharges of urban runoff through separate sewers, unless it can be demonstrated that those discharges do not cause adverse impacts on the water quality requirements of other Union legislation;</p> <p>© the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</p> | <p>Text is suitable if the objective of pollution reduction is not mandatory as was confirmed by the Commission as fixed size for all overflows is not a reasonable solution, considering that achieving compliance with this criterion can be very costly, while the effect obtained from it is not very big (especially if the water quality of the receiving waters meets the criteria of good condition). Moreover, more precise criteria could be set for a specific overflow taking into account the local environmental condition of the specific receiving waters.</p> <p>'Conditions' should be replaced with 'flow' in (a) for better consistency with the rest of the text.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Estonian proposal | Estonian comments |
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| © <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                   |
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| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                   |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>© 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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                   |                   |

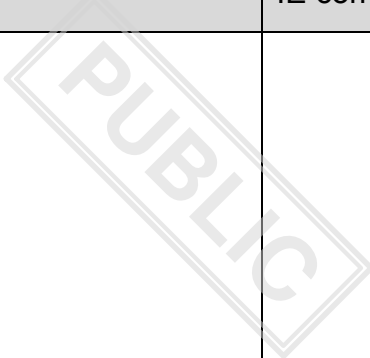
## IRELAND

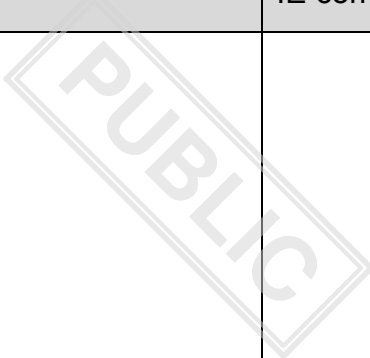
### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | IE proposal | IE comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | IE proposal | IE comments |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| <p>(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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                |             |             |
| <p>(6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del>. 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</p> |             |             |

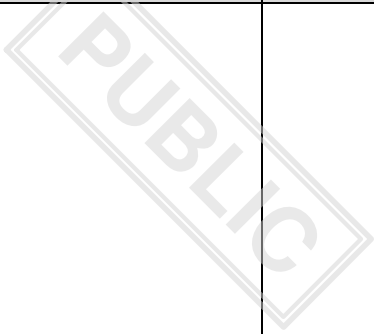
<sup>1</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | IE proposal                                                                         | IE comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |             |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | IE proposal                                                                         | IE comments |
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| <p><b><u>(8 bis) 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. <b>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</b></u></b></p>                                                                                                                                                                                                                                   |  |             |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                                                                                     |             |

<sup>2</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | IE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | IE comments |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        | <p><b><u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced <del>by</del> at the urban wastewater operator's facilities or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked</u></b></p> |             |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | IE proposal                                                                                                 | IE comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> | <p><u>to urban wastewater treatment activities, may be purchased or produced from external sources.</u></p> |             |

<sup>4</sup> 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).

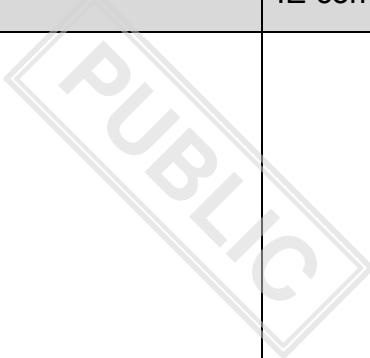
<sup>5</sup> Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond.

<sup>6</sup> 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).

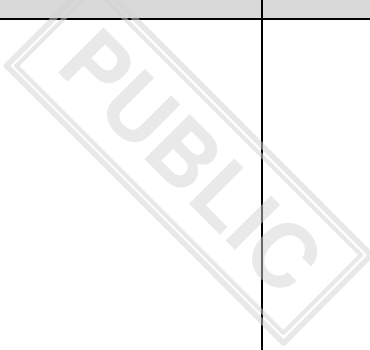
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | IE proposal | IE comments |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |             |             |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |             |             |

<sup>7</sup> 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).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | IE proposal                                                                         | IE comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |  |             |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                     |             |
| <p>(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |             |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | IE proposal                                                                         | IE comments |
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| <p>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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |             |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     |             |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | IE proposal | IE comments |
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| <p>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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |             |             |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                  | IE proposal | IE comments |
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| these territories, special attention should be given to the difficult topography and insularity. |             |             |
|                                                                                                  |             |             |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> 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. |                           |                           |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del>                                                                                                                                                                                                                                                                                                                |                           |                           |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services</del> <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for <del>either the following:</del><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution;</del><br>(c) <del>or industrial</del> <b>or economical</b> activities;<br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> pollution load of urban wastewater is sufficiently concentrated (<b>taking as a reference 10 p.e. per hectare or above</b>) for urban wastewater to be collected and conducted to <b>one or more</b> an urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <b>into receiving waters</b>;</p> |                           |                           |
| <p>(5) 'urban runoff' means <b>precipitation rainwater</b> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <b>into</b> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del>;</p>                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that</del> <b>designed to</b> collects and conducts urban wastewater <b>including urban runoff</b>; <del>including urban runoff</del>;</p>                                                                                                                                                                                                                                                                            |                           |                           |
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p>(a) <del>domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b>;</p> <p>(b) <del>non-domestic wastewater</del> <b>non-domestic wastewater</b>;</p> <p>(c) <del>a mixture of domestic and non-domestic wastewater</del>;</p> <p>(d) <del>rainwater from agglomerations</del>;</p>                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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| (10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del>                                                                    |                           |                           |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.                  |                           |                           |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of biodegradable organic matter in from</del> urban wastewater;                                                                                                        |                           |                           |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> by a process which removes nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                                                      |                           |                           |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> reduces a broad spectrum of micropollutants <del>in from the</del> from urban wastewaters;                                                                                                                                                                           |                           |                           |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> organic residue and inorganic <del>sludge-residue</del> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <del>debris</del> , grit, grease, <del>other debris</del> and any other screenings residues from the <del>first</del> pre-treatment step); |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
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| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                           |                           |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                           |                           |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                |                           |                           |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                           |                           |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |                           |                           |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |                           |                           |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                           |                           |
| (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; |                           |                           |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                           |                           |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                           |                           |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5</u> in urban wastewater, expressed in p.e., or any pollutant or nutrient <del>in urban wastewater, expressed in p.e. or mass unit per time</del> (usually kilogram per day or year).</b>                                         |                           |                           |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                           |                           |
|                                                                                                                                                                |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <del>domestic urban</del> wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 <del>p.e.</del> comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <p>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

#### ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |                           |                           |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |                           |                           |
|                                                                                                                                                                       |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                   |                           |                           |
| <p>(4); (5); (6)</p>                                                                                                                                                  |                           |                           |
|                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. <del>By way of derogation from Article 3, where exceptionally if</del> <b>Member States may derogate</b> <del>if the establishment of or the connection to a collecting system is not justified either because it would produce no environmental or health benefit, it is not technically feasible or because it would involve excessive cost.</del></p> <p><b>If derogating from Article 3, Member States shall ensure that individual systems for the collection, storage and, when applicable, treatment of urban domestic urban wastewaters ('individual systems') are used <u>for in agglomerations of 1 000 p.e. and above.</u></b></p> |                           |                           |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least achieves</del> the same level of <b>environmental protection treatment</b> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del><u>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</u></del></p> <p><del><u>This requirement will apply to existing individual systems six years after 2033.</u></del></p>                                                          |                           |                           |
| <p>3. <b>[NEW]</b> Member States shall ensure that <b>individual systems <u>that are used</u> in agglomerations of 1 000 p.e. and above, where individual systems are used</b> are registered in a <del>public</del> <b><u>national, or regional or local</u></b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                 |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 27 to supplement this Directive by <b>that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>{24 months}</u> from the entry into force of this Directive}.</b></p>                                                                                     |                           |                           |
| <p><b>45.</b> Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations in each of the agglomerations</del>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
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| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive.</b></p> |                           |                           |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | IE proposal | IE comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                       |             |             |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                      |             |             |
|                                                                                                                                                                                                                          |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |             |             |
| (7); (8)                                                                                                                                                                                                                 |             |             |
|                                                                                                                                                                                                                          |             |             |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of agglomerations</b> of 100 000 p.e. and above. |             |             |
|                                                                                                                                                                                                                          |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | IE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | IE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than 4% <del>3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow <del>or polluted discharges of urban runoff discharges</del> poses a risk to the environment or human health;</p> <p>(b) <b>Domestic and non-domestic wastewater load spilled to the environment via sewer storm water</b> overflow represents more than 4% <del>3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p>(c) <del>sewer storm water</del> overflow <del>or polluted discharges of urban runoff discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>15</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>16</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>17</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>We are concerned on the foreseen approach on urban runoff in the text proposals. Both the risk connected to sewer overflows and polluted urban runoff are addressed within the scope of article V and annex V at the same level. We consider the provisions under art 5 and annex V disproportionate for separate urban runoff systems taking in to account the in our view different environmental impact of both flows of pollution towards receiving waters.</p> <p>We propose a differentiated approach where the pollution in urban runoff and its management is addressed more proportionally to its risk and thus different from the approach taken for sewer overflows by which we lose a load of pollution that we aim to treat under this directive</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | IE proposal                                                                                                                                                                                                                                                            | IE comments |
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|                                                                                                                                                                                                                          | <b>3. Member states shall identify relevant points in agglomerations of 10.000 p.e. and above where urban runoff is expected to be polluted in such a way that its discharge into receiving waters can be considered as a risk to the environment or human health.</b> |             |
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 | <del>3</del> <b>4.</b> By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2                           |             |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                        |             |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    | <del>4-5.</del> Integrated urban wastewater management plans shall be made available to the Commission on request                                                                                                                                                      |             |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                        |             |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                                                                                                                                                                                                                                                                        |             |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                        |             |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>15</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>16</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>17</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | IE proposal | IE comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive</b>.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(11) 'secondary treatment'</p>                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on [please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on [please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> | <p>a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on [please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December <del>2030-2035</del></p> |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to <del>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           |                           |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| 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. |                           |                           |
|                                                                                                                                                                                                                  |                           |                           |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | IE proposal | IE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (16)                                                                               |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | IE proposal | IE comments |
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| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | IE proposal                                                                                                                                                                                                | IE comments                                                                                                                   |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p><u>This energy will be produced from urban wastewater operator's facilities resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> | <p>Inserting wastewater operators facilities is more precise as the wind turbines, PVCs etc. are not wastewater resources</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p><del>Those general binding rules</del> <b>prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</b></p> <p><del>Where general binding rules</del> <b>regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants,</b> Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <b>and informs</b> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <b><u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></b></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>18</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

18 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>3. The <del>general binding rules</del> <b>regulations</b> and specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</b></p> |                           |                           |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>19</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                           |                           |

19 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (21) 'antimicrobial resistance'                                                    |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (22); (23)                                                                         |                           |                           |
|                                                                                    |                           |                           |

~~1. Member States shall monitor the presence of the following public health parameters in urban wastewater:~~

~~(a) SARS-CoV-2 virus and its variants;~~

~~(b) poliovirus;~~

~~(c) influenza virus;~~

~~(d) emerging pathogens;~~

~~(e) contaminants of emerging concern;~~

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

21. 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:

(a) the identification of ~~other~~ **relevant** public health parameters ~~than the ones referred to in paragraph 1~~ that are to be monitored **at least in the inlet of** urban wastewater **treatment plants**, such as those in the following list:

**(i) SARS-CoV-2 virus and its variants of interest;**

**(ii) poliovirus;**

**(iii) influenza virus;**

**(iv) emerging pathogens;**

**(v) contaminants of emerging concern;**

**(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;**

(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(a), ~~taking into account~~ **thus regarding** the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;

(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> <del>at least 70 % of the national population. <b>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</b></del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and <del>more</del>. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <b><u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></b></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>20</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>21</sup></del>.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

<sup>20</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>21</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(14) 'sludge'</p>                                                                      |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 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, <b>preparing for</b> reuse, <del>and recycling</del> <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                           |                           |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | IE proposal | IE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | IE proposal | IE comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</b>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases methane produced and</del> <b>the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | IE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | IE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> monitor carry out <b>sufficient representative monitoring of sewer</b> the concentration and loads of pollutants from storm water overflows and <b>polluted discharges of</b> urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> | <p><del>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system monitor carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and polluted discharges of urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</del></p> | <p>We consider a complete deletion of art 21(2) as appropriate:</p> <ul style="list-style-type: none"> <li>- Art 21(2), as written now, goes further than annex V. Annex V request an 'estimation' of the load of pollutants released in receiving waters by sewer overflows (and urban runoff) only in agglomeration that are selected to be at risk based on the risk evaluation performed under art. 5(2). Given the impact (both technological and financial), a requirement to model the concentrations and load of pollution for all sewer overflows in all agglomeration of 10.000 p.e. and above cannot be supported</li> <li>- Annex V already prescribes what is to be done with respect to monitoring / modelling to evaluate in more detail the actual risks and impact of sewer overflow on receiving waters.</li> <li>- For urban runoff in separate systems, we refer to the newly proposed approach – new 21 (3)</li> </ul> |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>22</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>23</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture**.

~~4.~~ The monitoring referred to in ~~the first and second sub~~ **this** paragraphs **3** shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more above~~;

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | IE proposal | IE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

- 22 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 23 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> 6 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.                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:

(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if

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| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | IE proposal | IE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (34)                                                                               |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | IE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | IE comments                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> | <p><del>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</del></p> <p><del>(a) they have a sufficient interest;</del></p> <p><del>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</del></p> <p><del>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</del></p> <p><del>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.</del></p> | <p>IE propose deletion of Art 25 on Access to Justice since all MS are subject to already-existing overarching horizontal legislation on access to justice and having different versions in multiple sectoral legislative acts will inevitably lead to legal uncertainty and confusion.</p> |
| 2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <del>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                             |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 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.                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>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.</del> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>5</del> 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           |                           |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |



| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                           |                           |
| (42); (43)                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3 Article 7(1) or serving agglomerations referred to in Article 7(3) and in Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                            |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedias shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedias <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> .                   |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                      | [Insert MS name] comments                |                           |                                                                    |                                                             |                                                                                |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                  |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                               |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month <b>(see Note 1)</b></td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                          | One sample per month <b>(see Note 1)</b> | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One sample per month <b>(see Note 1)</b>                                       |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month             |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |                                          |                           |                                                                    |                                                             |                                                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|---------------------------|
| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           |                           |
|                                                                                                                                                                                                                                                                           |                           |                           |
| 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.                                                 |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

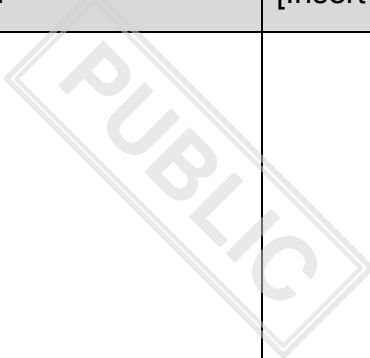
| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in | 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>b) a dynamic analysis of the flows <del>of urban runoff, polluted urban runoff and</del> urban wastewaters in case of rainfall based on the use of hydrological, hydraulic |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants relevant pollutants listed in article 21 (3a)</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative</del> <b>target</b> <del>objective</del> <b>shall</b> <del>should</del> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated discharges of urban runoff through separate sewers collection networks,</del> unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> | <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows <b>and <u>polluted discharges of urban runoff</u></b> <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> <b>domestic and non-domestic wastewater load spilled to the environment via sewer</b> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative</del> <b>target</b> <del>indicative</del> <b>objective</b> <del>shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) <b><del>the progressive reduction of pollution load from elimination of untreated discharges of urban runoff through separate sewers collection networks, unless it can be demonstrated that those discharges do not cause adverse impacts on the water quality requirements of other Union legislation of receiving waters;</del></b></p> |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                                                                                                                                                                                                                                                                                                                     | (c b) the progressive reduction of macroplastics in sewer overflow <del>and discharges of urban runoff.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                     | <p>3. Monitoring requirements with regard to the potential presence of the substances listed in paragraphs 1 and 2 of article 21 in urban runoff discharged from separate urban runoff systems where urban runoff is expected to be polluted in such a way that its discharge into receiving waters can be considered as a risk to the environment or human health.</p> <p>The identification of relevant and feasible measures, taking in to account the cost-benefit principle, to reduce the pollution from urban runoff discharges based on the outcome of this monitoring.</p> <p>Where appropriate, these measures can be included in the programmes of measures referred to in Article 11 of the Directive 2000/60/EC.</p> | <p>We do recognize that separate systems of urban runoff can contain of significant load of pollution. We would therefore support the inclusion of an obligation for orientational focused monitoring on urban runoff water on the basis of wich measures to reduce the pollution from urban runoff discharges are identified.</p> <p>We make reference to the substances listed in paragraph 1 and 2 of article 21. If deemed relevant, an implementing act to identify a list the pollutants of concern linked to urban runoff, can be included here.</p> <p>We focus on the identification of measures to reduce pollution for urban runoff and make reference to the programme of measure under the water framework directive.</p> <p>Flexibility is needed on who will be the responsible party for taking the measures. It is not per definition the operator of the collecting system for urban runoff who will be made responsible. Therefor it should be an option for MS to include measure on separate urban runoff in the programmes of measures under the WFD.</p> |
| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>spaces or limiting impermeable surfaces in the agglomerations;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |  |                           |

## GREECE

### Comments on partial compromise text on Clusters 1, 3, 5, and related Annexes of Proposal Revision of the UWWT Directive 91/271/EEC (WK 10708/2023 INIT/29.8.2023)

A very important issue we want to emphasize regards climate change and the extraordinary, very adverse weather phenomena and natural disasters they cause. The new Directive should provide for and include in its text reference to these extraordinary weather conditions and the subsequent damage or total destruction of basic infrastructure.

Following the widespread catastrophic forest fires this summer, Greece is currently facing an extreme natural phenomenon. Unimaginable flooding in central Greece has caused an undefinable damage. Apart from the loss of human lives, livestock and agricultural land, many settlements and infrastructure have been destructed. The climate crisis does not only concern our country. Unfortunately, such phenomena are very likely to re-occur in any country. Such cases must be identified in the Directive and special care/derogations should be given to the Member States.

Regarding WPE meeting on 4 September, we share the comments of the Hellenic Authorities on the proposed changes for the clusters 1, 3 and 5 of Presidency compromise text of the Proposal for revision of the Directive 91/271/EEC. Greece reserves the right to come back with more comments at a later stage of the process on these articles and on the entire file as well.

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## **Recitals**

Recital 8 bis: the following text has been added

*‘Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into ‘less sensitive areas’ in coastal areas where ‘appropriate treatment’ is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island’.*

In Greece there is a large number of islands with specific conditions, not only geographical and geomorphological (e.g. with archaeological restrictions, etc) where the construction of central collecting system is very difficult. The same approach concerning the extension of the adaptation time should also be adopted in other cases, in this article and the whole text of the Directive.

We propose a general text without specific island reference:

*‘Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into ‘less sensitive areas’ in coastal areas where ‘appropriate treatment’ is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in cases of islands with difficulties to install secondary treatment due to specific conditions’.*

The level of treatment meant by the phrase which is acceptable in cases of agglomerations of between 2000 p.e. and 10000 p.e. discharging into coastal areas waters is very confusing. A definition for ‘appropriate treatment’ is necessary in order to define the level of treatment for the above agglomerations.

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## Article 2 Definitions

We think that the definition of urban wastewater could be better amended to:

*‘Urban wastewater’ means domestic wastewater or domestic wastewater mixed with either non-domestic wastewater ~~and~~ or urban runoff or both of them’*

Moreover, we think that the addition of a definition (10 bis) for primary treatment is not necessary since this term does not appear anywhere in the text nor is there any provision for primary treatment.

On the other hand, as mentioned above, our view is that a definition for ‘appropriate treatment’ is necessary since it is mentioned both in recital 8 bis and article 6 and we believe that it is important to clarify its meaning.

Also definitions for sensitive and less sensitive areas should be added.

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## Article 3 Collecting systems and calculation of the load expressed in p.e.

As pointed out in previous comments the extension of the scope to 1 000 p.e. for Member States with high fluctuations in seasonal population will lead to an increased number of new agglomerations. The threshold of 1000 p.e. is not justified and for this reason we propose 1500 p.e. instead, wherever it is mentioned in the Directive’s text. The deadline of 2033 for compliance still remains not feasible nor realistic and its expansion is proposed (e.g. 2040)

As we have already pointed out, as regards the title of the article and the addition of paragraph 3, our view is that at the point of recognition of requirements and planning, the load of the agglomeration expressed in p.e. can not be calculated but estimated, based on demographic and population data (permanent population, tourists and other non domestic activities). The load can be calculated more accurately when the operation of the projects begins and the operators can calculate the incoming load based on the actual data. Perhaps some clarifications or rephrase would be helpful here and detailed directions regarding the methodology to estimate the generated load of each agglomeration.

Moreover, the wording of paragraph 3 needs some amendment: ... *The calculation of the load of an agglomeration expressed in p.e. shall be calculated.*

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## Article 4 Individual Systems

We proposed the deletion of the article 4.2

As already pointed out, we disagree with the obligations of 4.3 regarding the national registry and regular inspections of individual systems.

The article 4.5 must refer to agglomerations with more than 10000 p.e., as pointed out from other Member States. Moreover, the wording is confusing as it leaves the impression that the 2% refers to the sum of the individual systems in relation to the total load, but in the relevant comment it is mentioned that the justification and the threshold of 2% will have to apply for each agglomeration.

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#### **Article 5 Integrated urban wastewater and urban runoff management plans**

We agree with the addition of the word 'polluted' for urban runoff, as in the previous wording urban runoff was 'included' in the term urban wastewater. Nevertheless, as we have already pointed out, we consider that the title and the requirements of the article should be limited to urban wastewater management plans without including polluted urban runoff.

Taking into consideration that the analysis of the RBMPs is at a river basin level, flexibility should be given to the Member States regarding the implementation of the Integrated Urban Wastewater Management Plans to use the same level, instead of establishing a plan for each agglomeration.

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#### **Article 6 Secondary treatment**

At paragraph 6.2 the population of 1000 p.e. is too ambitious and the threshold of 1500 p.e. is proposed instead.

Moreover, the due date of 2033 to apply secondary treatment is very strict and practically not feasible for the new agglomerations that will be recognized by the application of this directive. Therefore, we propose that this date is amended at least to 2040.

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#### **Article 11 Energy neutrality of urban wastewater treatment plants**

We express our concerns about the feasibility and applicability of Article 11 which is too ambitious. More realistic targets and the extension of the deadlines by at least 10 years should be set. Greater flexibility is required as there are particularities and difficulties in the existing infrastructure. For example, in Greece, the production of solar (photovoltaic facilities) and wind energy requires large surface areas that are usually not available on site. Because there may not be adequate space. The percentage of 25% of energy produced or purchased from external renewable sources must be increased.

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#### **Article 17 Urban wastewater surveillance**

As already stated, the requirements of this article will create an additional burden to the already heavy requirements of the Directive. This article should be optional. It should have a more recommended character and not include mandatory surveillance requirements, to be decided at Member State level, based on the available recent scientific data and the prevailing conditions.

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#### **Article 20 sludge and resource recovery**

We share the reservations and concerns of other Member States concerning the recovery of nutrients.

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#### **Article 21 Monitoring**

The new monitoring requirements will lead to increased operating costs as well as increased administrative burden, especially for smaller agglomerations.



The list of parameters proposed in paragraph 3 for monitoring is large and includes all parameters and priority substances of Directive 2000/60/EC, microplastics etc. It is proposed that not all parameters are monitored but the which list results from the risk assessment. As stated in previous comments, the monitoring of substances is not necessary when it is proven that these substances are not detected.

It is again pointed out that it is very difficult to monitor urban runoff discharges.

Regarding paragraph 1c, it will be very difficult to measure the exact monthly quantities of reclaimed water used in agriculture. It is proposed to monitor only the quantities per year.

Finally, a general comment is that the requirements set by the new Directive must be feasible and applicable by all Member States, taking into account the particular conditions of each state (e.g. climate conditions, geomorphological relief, tourism, insularity, individual peculiarities, natural disasters, etc).

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## ITALY

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments          |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                                    |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> 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 Council<sup>1</sup>.</p> |                           | We agree with the proposed changes |

<sup>1</sup> 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).

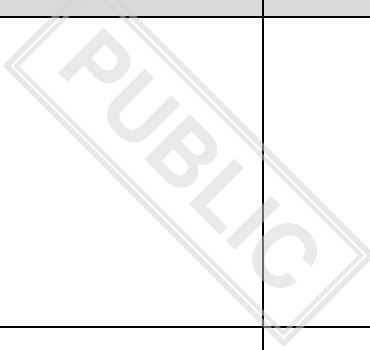
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                                                                   | [Insert MS name] comments                                                                                                              |
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| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> When delineating their agglomerations, Member States should take into account the <u>indicative</u> reference threshold of <u>10 to 25</u> p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated. Where <del>centralised</del> <u>collecting</u> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Member States should take into account the <u>indicative</u> reference threshold of <u>10 to</u> 25 p.e. per hectare</p> | <p>We agree with the proposed changes and the introduction of the term "indicative".<br/>We ask to maintain only the 25 p.e. value</p> |
| <p>(6) <del>Exceptionally, where</del> <u>Where</u> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <u>would not be technically feasible</u>, or <u>would</u> involve excessive costs, Member States should be allowed to use individual systems to <u>collect and</u> treat urban wastewater, as long as they ensure the same level of <u>protection of the environment</u> <del>treatment as secondary and tertiary treatment</del>. 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. <u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and</u></p> |                                                                                                                             | <p>We agree with the proposed changes, in particular with the sill of 2%</p>                                                           |

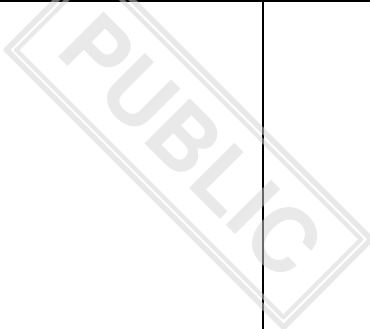
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                       |
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| <u>measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           | We agree with the proposed changes concerning implementing acts |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></p> |                           |                                                                 |
| <p><u>(8 bis)</u> 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. <u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
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| <u><b>Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</b></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <u>usually</u> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b>low concentrations of micrograms per litre or below</b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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</p> |                           |                           |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal                                                           | [Insert MS name] comments                                              |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                                                                        |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account.</u></b></p> |                                                                                     | <p>We agree with the proposed new text. obs: to align to art. 11.2</p> |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><b><u>A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u></b> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> 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</p> |  |                           |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).

<sup>7</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                           |                           |

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>reviewing the authorisations provided to relevant, connected urban wastewater treatment plants.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council<sup>9</sup>.</p> |                           |                           |
| <p>(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.<br/> <b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                           |                           |
| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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| resistance and microplastics 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 Council <sup>10</sup> .                                                     |                           |                           |
| (39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte. |                           |                           |
| <b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity.</b>                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

<sup>10</sup> 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).

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                    |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                    |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                    |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <u>to sustainable levels</u> 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. |                           | We support the modification with reference to “sustainable levels” |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                           |                           |
|                                                                              |                           |                           |
| For the purpose of this Directive, the following definitions apply:          |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments                                                                      |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them</b> ;                                                                                                                                                                                                                                                                                                                 |                           | We agree with the proposed modification., in line with the Italian position expressed in July. |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                                                |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged into collecting systems from premises used for either the following:<br><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution</del> ;<br>(c) <del>or industrial or economical</del> activities;<br><br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                           | We agree with the proposed modification.,                                                      |
| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above)</del> for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to <b>a one or more</b> <del>final discharge points, into receiving waters</del> ;                                                                    |                           | We agree with the proposed modification.                                                       |
| (5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------|
| (6) <del>'sewer storm water overflow'</del> means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                      |                           |                                                                                   |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                        |                           |                                                                                   |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <b>including urban runoff</b> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                          |                           |                                                                                   |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b> :<br><del>(a) domestic</del> <b>urban wastewater not including urban runoff</b> ;<br><del>(b) non-domestic wastewater</del> <b>non-domestic wastewater</b> ;<br><del>(c) a mixture of domestic and non-domestic wastewater</del> ;<br><del>(d) rainwater from agglomerations</del> ; |                           | We agree with the proposed modification, indicating two different types of sewers |
| (10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day</del> <b>per day</b> ;                                                                                                                         |                           |                                                                                   |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.                                                                               |                           | We agree with the proposed modification                                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments               |
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| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or <b>another process which <u>reduces</u> <del>removes most of</del> biodegradable organic matter <del>in</del> <u>from</u> urban wastewater;</b>                                                |                           |                                         |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <b><u>reduces</u> <del>removes most of</del> by a process which <del>removes</del> nitrogen and/or phosphorus from the urban wastewaters;</b>                                                                                                                     |                           |                                         |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <b><del>removes</del> <u>reduces</u> a broad spectrum of micropollutants <del>in from the</del> <u>from</u> urban wastewaters;</b>                                                                                                                              |                           |                                         |
| (14) 'sludge' means <b><del>any solid, semisolid, or liquid waste organic residue and inorganic sludge residue</del> resulting from the treatment of urban wastewater <u>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the <u>first</u> pre-treatment step)</u>;</b> |                           | We agree with the proposed modification |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                      |                           |                                         |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
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| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                           |                           |
| (17) 'dilution ratio' means the ratio <del>of between</del> the <b>last five years average volume</b> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the</del> annual <b>discharge</b> volume of urban wastewater <b>into surface waters; discharged from a treatment plant;</b>                                                                           |                           |                           |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                           |                           |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |                           |                           |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |                           |                           |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                                                                                                                             |                           |                           |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments               |
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| (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; |                           |                                         |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                           |                                         |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                           |                                         |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5</u> in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                    |                           | We agree with the proposed modification |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                           |                           |
|                                                                                                                                                                |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                   |                           |                           |
| (4); (5); (6)                                                                                                                                                  |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of domestic urban wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                               |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           | <p>Italy reiterates its position, i.e. it does not share the application of the directive's requirements to agglomerations between 1,000 and 2,000 p.e.</p> <p>Given this, with respect to the specific requests of the Presidency on article 3, we ask for:</p> <ul style="list-style-type: none"> <li>- apply a risk-based approach, aimed at identifying those agglomerations for which the application of the requirements of the Directive is environmentally and economically sustainable;</li> <li>- extend the deadline, indicated in paragraph 2, to at least 2035;</li> <li>- maintain, however, the possibility of applying the derogation mechanism referred to in Article 23, paragraph 5.</li> </ul> |
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the</u> maximum average weekly load <u>entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p>                                                                                            |                           | <p>We agree with the proposed modification</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

| New text proposal_Clusters1,3,5                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------|---------------------------|---------------------------|
| 43. Collecting systems shall fulfil the requirements of Part A of Annex I. |                           |                           |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                           | <p>With reference to the various regulatory strategies for containing emissions, in the logic of the best sustainable and integrated solutions, it is considered essential to introduce in the Review a reference to the UN strategies on the WEFE Nexus and on the NBSs, which in the purification field mean "more appropriate solutions and not always hyper-technological, for the removal and reuse of nutrients and carbon with low impact and energy and environmental footprint.</p> <p>Purification and phytoremediation processes useful for intervening in the case of IAS and small agglomerations are mentioned, but also lagoon systems for the finishing of treated water, with the use of vegetation and other natural techniques</p> |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                   |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| (4); (5); (6)                                                                                                                                                  |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above.</b></p> | <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 2 000 p.e. and above.</b></p> | <p>We agree with the proposed modification</p> <p>Italy reiterates its position, i.e. it does not share the application of the directive's requirements to agglomerations between 1,000 and 2,000 p.e.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><u><b>This requirement will apply to existing individual systems six years after 2033.</b></u></p>                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Individual systems must be an active part of containing emissions for the envisaged environmental objective, but must not be structured like the equivalent large treatment plants.</p> <p>We agree with the proposed deleting</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, <del>where individual systems are used</del> are registered in a public <b>national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local level.</b></p>                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Italy reiterates its position, i.e. it does not share the application of the directive's requirements to agglomerations between 1,000 and 2,000 p.e.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>34. The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure <del>referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach</del> <b>second subparagraph.</b></p> <p><b>The Commission will provide the requirements by [24 months from the entry into force of this Directive].</b></p> | <p>a) the design, operation, and maintenance of individual system; <b>and</b></p> <p>b) <b>the definition of environmentally friend, economic and appropriate nature based solutions ' NBS for IAS treatment</b></p> <p>c) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach</del> <b>second subparagraph</b></p> | <p>With reference to the various regulatory strategies for containing emissions, in the logic of the best sustainable and integrated solutions, it is considered essential to introduce in the Review a reference to the UN strategies on the WEFE Nexus and on the NBSs, which in the purification field mean "more appropriate solutions and not always hyper-technological, for the removal and reuse of nutrients and carbon with low impact and energy and environmental footprint.</p> <p>Purification and phytoremediation processes useful for intervening in the case of IAS and small agglomerations are mentioned, but also lagoon systems for the finishing of treated water, with the use of vegetation and other natural techniques</p> |

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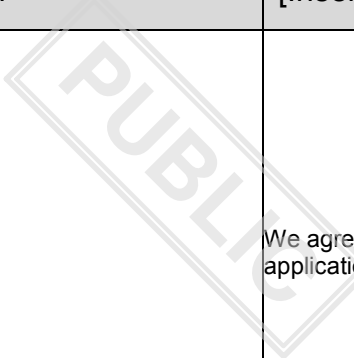
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] comments                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> | <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of <b>10 000</b> p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems in each of the agglomerations <b>in each of the agglomerations</b>. That justification shall: demonstrate <del>for each of those agglomerations</del> that</p> | <p>It is proposed to apply the 2% threshold (paragraph 5) starting from agglomerations of 10,000 p.e.</p> |
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph <del>45</del>. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>We agree with the proposed deadline</p>                                                                |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                           |                           |
| (7); (8)                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area of</u></b> agglomerations of 100 000 p.e. and above. |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025-2027</del> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water</del> overflow represents more than <del>1%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  | <p>We agree on the proposed modification, limiting the application at polluted conditions</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                     |                                                                                               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations</u> referred to in paragraph 2 |                           | We agree on the proposed modification |
|                                                                                                                                                                                                                          |                           |                                       |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                           |                                       |
|                                                                                                                                                                                                                          |                           |                                       |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                           |                                       |
|                                                                                                                                                                                                                          |                           |                                       |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive].</b></p> |                           | We agree with the proposed deadline |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                     |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <del>six</del> 5 years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                     |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (11) 'secondary treatment'                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                          |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                                          |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                                          |
| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> <del>urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</del></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For</del> <b>For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas</b> <del>waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on {please insert the date = date if entry into force of this directive}; the obligations set out in the first paragraph shall not apply until 31 December 2030.</del></p> <p><del>(b) For</del> <b>For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the on {please insert the date = date if entry into force of this Directive} and fifteen years in the case of Madeira after the entry into force of this Directive.</b></p> |                           | <p>Italy reiterates its request for a gradual approach, 50% by 2030 and 100% by 2035</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> <del>urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |                           | <p>In line with what has already been stated for article 3 (2), Italy reiterates its position, i.e. it does not agree with the application of the requirements of the directive to agglomerations between 1,000 and 2,000 p.e.</p> <p>Given this, with respect to the specific requests of the Presidency on article 6, we ask for:</p> <ul style="list-style-type: none"> <li>- apply a risk-based approach, aimed at identifying those agglomerations for which the application of the requirements of the Directive is environmentally and economically sustainable;</li> <li>- extend the deadline, indicated in paragraph 2, to at least 2035;</li> <li>- maintain, however, the possibility of applying the derogation mechanism referred to in Article 23, paragraph 5.</li> </ul> |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                            |                           | <p>We agree on the proposed modification</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 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. |                           |                           |
|                                                                                                                                                                                                                  |                           |                           |

# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (16)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] comments                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources</u>, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, <u>produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040.;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p><b><u>This energy will be produced from urban wastewater operators resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></b></p> <p><b><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></b></p> <p>(d) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December <b>2035;</b></p> <p>(e) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December <b>2040;</b></p> <p>(f) 100 % of the total annual energy used by such plants by 31 December <b>2045.;</b></p> | <p>Tra modification are in line with IT July proposals, except for the dead lines.<br/>We reiterate the proposal to postpone the deadlines by 5 years</p> <p>We suggest “operators (or water services companies=” instead of “resources”</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------|
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                                |
| <p>(19)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p>Those <del>general binding rules</del> <b>prior</b> regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                           | <p>We agree with the proposed modification</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <del>general binding rules</del> <b>regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

15 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>3. The <del>general binding rules</del> <b>regulations</b> and specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> <u>regulations</u> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></b></p> |                           |                           |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

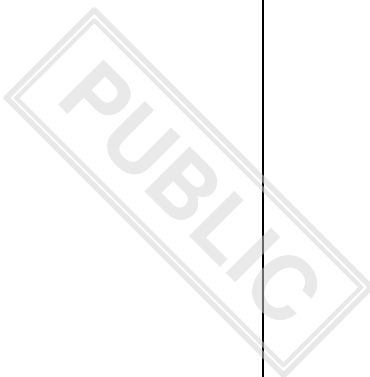
| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part B</b> of Annex I.                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                           |                           |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (21) 'antimicrobial resistance'                                                    |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (22); (23)                                                                         |                           |                           |
|                                                                                    |                           |                           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------|
| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>(c) influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>(e) contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p><del>(a) the identification of other <u>relevant</u> public health parameters than the ones referred to in paragraph 1 that are to be monitored <u>at least in the inlet of</u> urban wastewater <u>treatment plants</u>, such as those in the following list:</del></p> <p><del>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</del></p> <p><del>(ii) poliovirus;</del></p> <p><del>(iii) influenza virus;</del></p> <p><del>(iv) emerging pathogens;</del></p> <p><del>(v) <u>contaminants of emerging concern</u>;</del></p> <p><del>(vi) <u>(v)</u> any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</del></p> <p><del>(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(a), taking into account <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</del></p> <p><del>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</del></p> |  | <p>No relevant comments</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------|



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------|
| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                         |
| <p><del>32. 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 relevant public health parameters shall be monitored in urban wastewaters from a representative distribution at least 70 % of the national population. <u>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</u> 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 the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></del></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>+</b>.</p> |                           | We agree with the proposed modification |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                         |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(GOD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission shall <del>may</del> <b>shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> a uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                           | <p>There is no agreement on the timing, which is not consistent with the entry into force of the revision (23-24 months from publication already means 2026): the member states can, on their own initiative, proceed with their cognitive and health prevention activities.</p> <p>Italy reiterates the request to extend this time limit to 31.12.2030</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                                                                                                                              |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                                                                                                                                                                                                                                                                                                              |

## ARTICLE 20 – SLUDGE **AND RESOURCE RECOVERY**

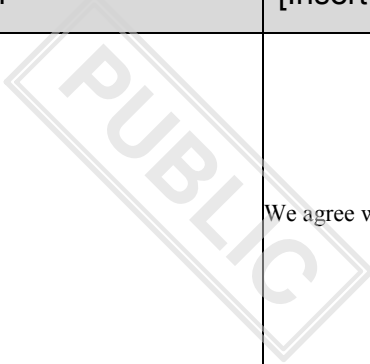
| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments            |
|-------------------------------------------------------------------------------------------|---------------------------|--------------------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           | We agree with the title modification |
| <p>(14) 'sludge'</p>                                                                      |                           |                                      |
|                                                                                           |                           |                                      |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                         |
| 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, <b>preparing for</b> reuse, <del>and</del> recycling <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                  |                           | We agree with the proposed modification |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                         |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in accordance with the procedure referred to in Article 27 <del>to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking</b> in order to take into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . <b>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                           | We agree with the proposed modification |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                                                                                                                                                                                                                                                                                                                                             |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1);</del> <b>the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases <b>methane</b> produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |                           | <p>Regarding the monitoring of greenhouse gases for plants above 10,000 p.e. (art. 21 (1)) it is considered useful to refer to the estimation methods envisaged in the IPCC and to provide only specific surveys of concentrated emissions (e.g. chimneys), where the environmental authorizations (related to the emissions) provide for it.</p> <p>Anyway<br/>We agree with the proposed modification</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                           | [Insert MS name] comments                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  | <p>We agree with the proposed modification</p> |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

- (i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;
- (ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;
- (iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;
- (iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture.**

**4.** The monitoring referred to in ~~the first and second sub~~  
**this** paragraphs **3** shall be carried out with the following  
frequencies:

(a) at least two samples per year, with maximum **6 7** months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more above~~;

We agree with the proposed modification

We agree with the proposed modification

We agree with the proposed modification

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                           | We agree with the proposed modification. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                                          |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                                                                                                                                                                                                                    | [Insert MS name] comments                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                              |                                                                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                              |                                                                |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                              |                                                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                              |                                                                |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                                                                                                                                                                                                                                                                              | We agree with the proposed deadline of entry into force        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                              |                                                                |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>forty-eighth (48<sup>th</sup>)</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes</p> | We ask to postpone the date to 48th months of entry into force |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</b></p> <p><b>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</b></p> <p><b>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p><b>(ii) the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</b></p> <p><b>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</b></p> <p><b>(ii) the national implementation programme includes:</b></p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if</b></p> | <p style="text-align: center;"><b>b) the <b>deadlines</b> for agglomerations referred to in Article 7(3) on the conditions that:</b></p> | <p>Italy had already asked for clarifications and examples of application in the written comments sent for the WPE of 19 July.</p> <p>While the text proposed in point 5 (a) appears consistent with articles 3(2) and 6(2), the wording of point 5 (b) continues to be unclear / inconsistent with article 7 (3). Clarification and application examples are requested in this regard. In point (b) of paragraph 5 the modification of “the deadline for agglomerations...” with “the deadlines for agglomerations...”</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 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.                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>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.</del> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| <del>5</del> 3. Member States shall ensure that <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           |                           |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |



| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p>(b) <del>the intentional or negligent character of the violation</del>;</p> <p>(c) (b) the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p>(c) the <b>repetitive or singular character of the infringement</b>;</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                           |                           |
| (42); (43)                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V</b>.</li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8 in accordance with those Articles</del> shall, in addition to the <del>requirements referred to in point 2,</del> meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                                         |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                       |                        |                                                               |                                             | [Insert MS name] proposal | [Insert MS name] comments          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------------------------------------|---------------------------------------------|---------------------------|------------------------------------|
|                                                                                                                                                                                                                                                                                                                       |                        |                                                               |                                             |                           |                                    |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to permanently monitor and prevent all unintentional <b>such</b> biomedica <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> . |                        |                                                               |                                             |                           | We agree with the proposed changes |
|                                                                                                                                                                                                                                                                                                                       |                        |                                                               |                                             |                           |                                    |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                        |                        |                                                               |                                             |                           |                                    |
|                                                                                                                                                                                                                                                                                                                       |                        |                                                               |                                             |                           |                                    |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                |                        |                                                               |                                             |                           |                                    |
|                                                                                                                                                                                                                                                                                                                       |                        |                                                               |                                             |                           |                                    |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                       |                        |                                                               |                                             |                           |                                    |
| Parameters                                                                                                                                                                                                                                                                                                            | Concentration          | Minimum percentage of reduction<br>(see Note 4) <sup>21</sup> | Reference method of measurement             |                           |                                    |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2)                               | Homogenized, unfiltered, undecanted sample. |                           |                                    |

<sup>21</sup> ~~Reduction in relation to the load of the influent.~~

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                 | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> | Table 4: Requirement for samples                          |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  | <p>We reiterate what was already represented in the WPE of 13.01.23 and 05.07.23: <b>It is requested to harmonize the number of samplings performed with the maximum permitted number of non-compliant samples.</b> In fact, the relationship between the maximum allowed number of non-compliant samples and the number of samplings is not homogeneous for the whole table: if for the first series (4 -7) one sample beyond the threshold is allowed every 7 annual samples (ratio 1/7), for the last series 25 samples are allowed, while to maintain the same ratio of 1/7 up to 52 samples should be allowed.</p> |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

C. **PRIOR REGULATIONS AND/OR** SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b><u>prior regulations and/or</u></b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b><u>applicables according to this Directive</u></b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><del>measures taken in accordance with Article 18 of that Directive;</del></p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                                  | [Insert MS name] comments                  |                           |                                                                    |                                                             |                                                                                            |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                             | <div>PUBLIC</div>                                                                          |                                            |                           |                                                                    |                                                             |                                                                                            |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                            |                                            |                           |                                                                    |                                                             |                                                                                            |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                                          |                                                                                            |                                            |                           |                                                                    |                                                             |                                                                                            |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                            |                                            |                           |                                                                    |                                                             |                                                                                            |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per <del>week</del> <b>month</b>.</td></tr></table> | — 1000 to 9 999 p.e.:                                                                      | One sample per month ( <b>see Note 1</b> ) | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | One sample per month ( <b>see Note 1</b> )                                                 |                                            |                           |                                                                    |                                                             |                                                                                            |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Two samples per month<br>For micropollutants, one sample per month                         |                                            |                           |                                                                    |                                                             |                                                                                            |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |                                            |                           |                                                                    |                                                             |                                                                                            |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
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| — 100.000 p.e. or over:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | One <del>Two</del> samples per day <del>week</del><br><br>For micropollutants, two <del>one</del> sample per week | <div>PUBLIC</div>         |                           |
| <b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                   |                           |                           |
| 4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:<br><br>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;<br><br>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;<br><br>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;<br><br>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table. |                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                   |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <b>flow conditions</b> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           |                           |
|                                                                                                                                                                                                                                                                       |                           |                           |
| 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.                                             |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           | We agree with the modified title   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                    |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                    |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br><br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                           | We agree with the proposed changes |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments                 |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                           |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated discharges of urban runoff through separate sewers collection networks,</del> unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water</b> quality <b>requirements of other Union legislation of</b> <del>receiving waters;</del></p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                           | <p>We agree with the proposed changes</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                           |                           |

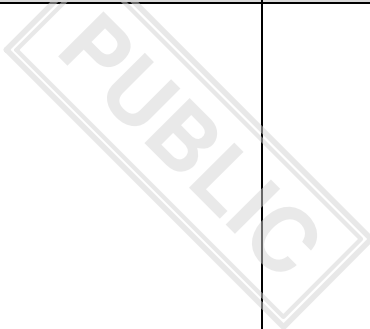
## CYPRUS

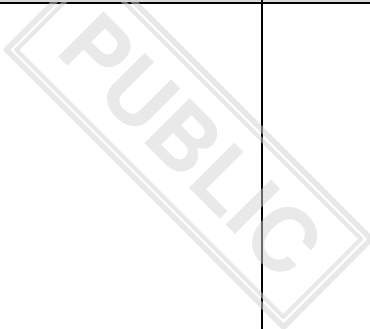
### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                       |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>(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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                |                           | <p>Cyprus: We are of the opinion that:</p> <p>a) centralised urban wastewater collection systems should only be built when disposing of wastewater poses an elevated risk to the environment (based on a risk assessment and cost-benefit analysis).</p> <p>b) The population and/or economic activity concentration specified by the directive should be further increased</p> |
| <p>(6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del>. 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</p> |                           |                                                                                                                                                                                                                                                                                                                                                                                 |

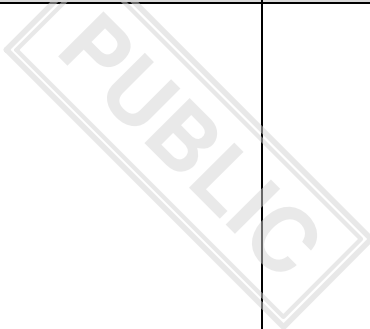
<sup>1</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                           |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |                           |

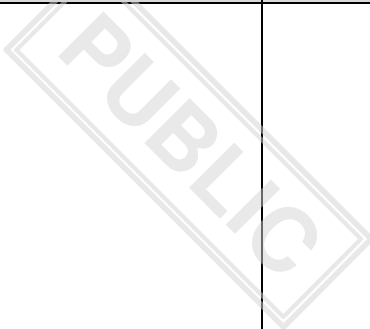
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><b><u>(8 bis)</u></b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                 |  |                           |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <b><u>small quantities low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                                                                                     |                           |

<sup>2</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |                           |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                                                                                     |                           |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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” Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> |  |                           |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).

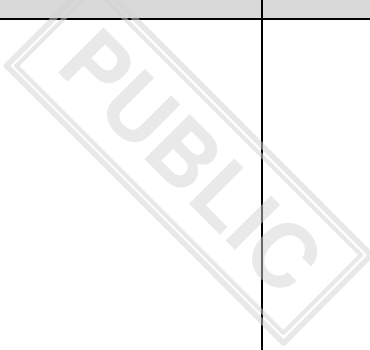
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |                           |                           |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                           |                           |

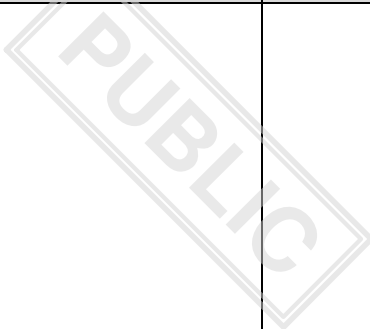
<sup>7</sup> Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                           |                           |
| <p>(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                           |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 8<sup>th</sup> Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     |                           |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  |                           |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |                           |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                           |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| these territories, special attention should be given to the difficult topography and insularity. |                           |                           |
|                                                                                                  |                           |                           |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> 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. |                           |                           |

## ARTICLE 2 – DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                                                                    |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                                                                    |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and with and</del> urban runoff, <b>or both of them</b> ;                                                                                                                                                                                                                                                                                                                          |                           |                                                                    |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services</del> <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                    |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for <del>either the following</del> :<br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution</del> ;<br>© <del>or industrial</del> <b>or economical</b> activities;<br><b><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u></b> |                           | Cyprus: A clarification about the 'exercise of a trade' is needed. |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>(4) 'agglomeration' means an area where the <b>population</b> <del>(expressed in population equivalent), combined or not with and/or economic activities</del> <b>pollution load of urban wastewater</b> is sufficiently concentrated (<del>taking as a reference 10 p.e. per hectare or above</del>) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points. <u><b>into receiving waters;</b></u></p> |                           |                           |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall;</del></p>                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that</del> <b>designed to</b> collect and conducts urban wastewater <u><b>including urban runoff;</b></u> <del>including urban runoff;</del></p>                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following:</b></p> <p><del>(a) domestic</del> <b>urban wastewater not including urban runoff;</b></p> <p><del>(b) non-domestic wastewater</del> <u><b>non-domestic wastewater;</b></u></p> <p><del>(c) a mixture of domestic and non-domestic wastewater;</del></p> <p><del>(d) rainwater from agglomerations;</del></p>                                                              |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>(10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del></p>                                                          |                           |                           |
| <p><b>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</b></p> |                           |                           |
| <p>(11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of biodegradable organic matter in from</del> urban wastewater;</p>                                                                                              |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                                                                                                                                                                             | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(12) 'tertiary treatment' means treatment of urban wastewater by a process which <b>reduces</b> <del>removes</del> <b>most of</b> <del>by a process which removes</del> nitrogen and/or phosphorus from <del>the</del> urban wastewaters;</p>                                                                                                   | <p>The following definition is proposed:</p> <p>'tertiary treatment' means treatment of urban wastewater by a process which reduces nitrogen and/or phosphorus from urban wastewater, and can be part of the secondary treatment.</p> | <p>Cyprus: We are a bit puzzled with this definition.</p> <p>Based on the ISO XXX the definition of tertiary treatment is: the additional treatment processes which result in further purification than that obtained by applying primary and secondary treatment.</p> <p>Based on the Commission Report 21.11.2001 COM(201) 685 final, tertiary treatment means treatment, supplementary to the secondary treatment, of the nitrogen (nitrification-denitrification) and/or phosphorus and/or any other pollutant which affects the quality or a specific use of water: microbiological pollution, colour, etc.</p> <p>For example, in Cyprus, tertiary treatment is provided by sand filters in a case of a treatment plant using traditional activated sludge system and a microfiltration or ultrafiltration process in other plants using membrane bioreactors. The removal of nitrogen and/or phosphorus takes place in the aeration tank, which is part of the secondary treatment.</p> <p>For all the aforementioned reasons, and in order to avoid confusion, the following definition is proposed:</p> <p>'tertiary treatment' means treatment of urban wastewater by a process which reduces nitrogen and/or phosphorus from urban wastewater, and can be part of the secondary treatment.</p> |
| <p>(13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;</p>                                                                                                                              |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>(14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <b>organic residue and inorganic sludge-residue</b> resulting from the treatment of urban wastewater <b>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</b></p> |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

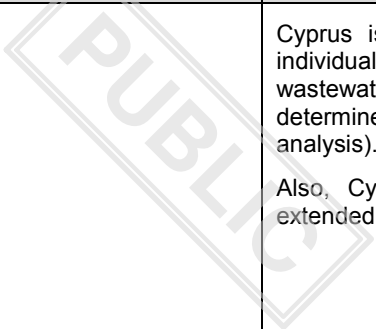
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] comments                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                       |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <u>1272/2008</u> <sup>11</sup> ; | The following amendment is proposed:<br><br>'micropollutant' means a substance, including its <b>breakdown transformation</b> products, <del>that is usually present in the environment and urban wastewaters</del> <b>present in the aquatic environment, urban wastewater and or sludge in low concentrations</b> <del>below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <u>1272/2008</u> <sup>12</sup> , <b>even in low concentrations</b> ; |                                                                                       |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Cyprus: Please clarify how the selection "for an average of five years" has been set. |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                       |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                 |                           |                           |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                   |                           |                           |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                           |                           |
| (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; |                           |                           |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                           |                           |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                           |                           |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time</u> (usually kilogram per day or year).</b>                                                    |                           |                           |

## ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                            |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                |                           |                           |
|                                                                                                                                                                                                               |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                  |                           |                           |
| (4); (5); (6)                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                               |                           |                           |
| 1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements: |                           |                           |
| <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems;</li> <li>(b) all their sources of domestic urban wastewater are connected to the collecting system.</li> </ul>          |                           |                           |
|                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</b></p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |  | <p>Cyprus is of the opinion that collecting systems and individual systems should only be used when disposing of wastewater entails a higher risk to the environment (as determined by a risk assessment and cost-benefit analysis).</p> <p>Also, Cyprus suggests that the timetable should be extended.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |                                                                                                                                                                                                                                                                                                              |
| <p><b>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</b></p>                                                                                                                 |                                                                                     |                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |                                                                                                                                                                                                                                                                                                              |
| <p><b>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |                                                                                                                                                                                                                                                                                                              |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                                                                                                                                               |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                                                                                                                                                                                                               |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                               |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |                           | Cyprus is of the opinion that individual systems for agglomerations of 1000 to 2000 shall be constructed only in cases where the disposal of wastewater is associated with an increased environmental and health risk (based on a risk assessment and cost-benefit analysis). |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                               |



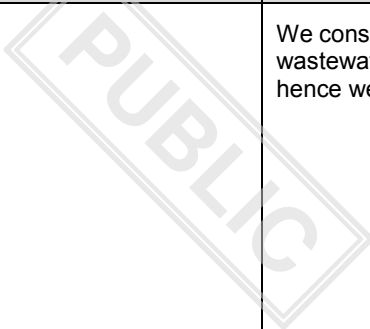
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                                                         |                           |                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                          |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, where individual systems are used are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <del>or other means of regular checks or control</del> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                                                                                                                                                     |                           | <p>Cyprus: We are of the opinion that this requirement applies to agglomerations of 2 000 p.e. and above and a risk-based approach shall be introduced for the checks and controls.</p>                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                          |
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2)</b> for establishing minimum requirements <del>on</del> for:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by {24 months from the entry into force of this Directive}.</b></p> |                           | <p>Cyprus: We are of the opinion that the deadline for implementing acts' adoption should be set soon after the Directive enters into force, taking into account the time required for Member states to 21ro ve the necessary tasks.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                          |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>© demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                           | <p>Cyprus: We are of the opinion that individual systems shall be constructed only in cases where the disposal of wastewater is associated with an increased environmental and health risk (based on a risk assessment and cost-benefit analysis).</p>                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                                                                                                                                                                                                                                                             |
| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>124 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           | <p>Cyprus: We are of the opinion that the format for submitting the information regarding individual systems should be available shortly after the Directive enters into force, taking into account the time required for Member states to 22ro ve the necessary tasks.</p> |

## ARTICLE 5 – INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                                  |                           | Cyprus: Please clarify what is defined as polluted urban runoff.                                                                                                                                                      |
|                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                       |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                         |                           |                                                                                                                                                                                                                       |
| (7); (8)                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                       |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area of</u></b> 23ro<br>ver23zation of 100 000 p.e. and above. |                           | Cyprus: We are of the opinion that the deadline for establishing an integrated urban wastewater management plan for each drainage area comprising agglomerations of 100 000 p.e. or more, should be further extended. |
|                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                       |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p>© <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  | <p>We consider the value of 3% of the annual collected urban wastewater load at point 1b to be low for sewer overflow, hence we suggest that this percentage be raised.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                     |                                                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations referred to in paragraph 2</u> |                           | Cyprus: We are of the opinion that the deadline for establishing an integrated urban wastewater management plan for each drainage area of agglomerations referred to in paragraph 2 (10 000 – 100 000 p.e.), should be further extended. |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                          |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                           |                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                          |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                           |                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                                          |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>© determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive</b>.</p> |                           | <p>Cyprus: We are of the opinion that the deadline for the commission to deliver the methodology and format, should be shortly after the Directive enters into force.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                                                                                                                                                           |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <del>six</del> 5 years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                                                                                                                           |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(11) 'secondary treatment'</p>                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments                                                                                |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                                                          |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                                                                                                          |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, © obligation set out in the first paragraph shall not apply until 31 December 2027 for:</p> <p>(a) For For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on [please insert the date = date if entry into force of this directive];, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the on [please insert the date = date if entry into force of this Directive] <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |                           | <p>Cyprus: We are of the opinion that the timetable set is tight, and it should be further extended.</p> |

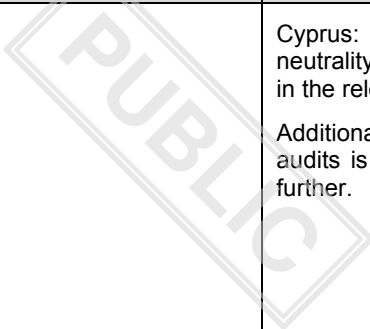
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           | <p>Cyprus: We are of the opinion that the timetable set is tight, and it should be further extended, while a risk-based approach should be introduced.</p> |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     |                           |                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                            |



| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 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. |                           |                           |
|                                                                                                                                                                                                                  |                           |                           |

# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (16)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>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 <b>measures to reduce the use of energy</b> and or <b>enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  | <p>Cyprus: We are of the opinion that the term 'energy neutrality' should be removed (because it cannot be found in the relevant energy sector Directives).</p> <p>Additionally, the timeline established for the first energy audits is considered tight, and should be extended even further.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |                                                                                                                                                                                                                                                                                                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal                                                                                                                                                                                                                                                            | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>© 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>Cyprus: We propose that this paragraph should be amended as follows:</p> <p>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred to in paragraph 1, is used to its full extent.</p> | <p>Cyprus: We propose that this paragraph should be amended as follows:</p> <p>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred to in paragraph 1, is used to its full extent.</p> <p>Because of the small size of plants in Cyprus, the demand for at least 80% of the energy used by urban wastewater treatment facilities, may not be achievable in some cases.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

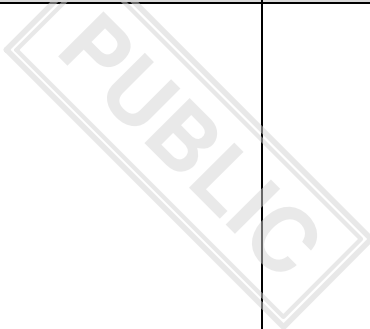
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                           |                           |
| (19)                                                                         |                           |                           |
|                                                                              |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                                            | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p><del>Those general binding rules prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</del></p> <p><del>Where general binding rules regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants,</del> Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>© <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> | <p style="text-align: center; opacity: 0.5; font-size: 100px; transform: rotate(-30deg);">PUBLIC</p> | <p>Cyprus: We are of the opinion that the term ‘appropriate body’ needs to be amended in order to include also the plant operators. The term ‘appropriate body’ shall be defined in Article 2, mentioning the plant operators.</p> <p>Cyprus is suggesting that particular authorisations to connect wastewater from industrial or other non-urban sources to sewage networks be given by the plant operators after informing the appropriate authority in advance. Therefore, Cyprus agrees with the addition of paragraph 1c.</p> <p>Knowing their obligations for the qualitative characteristics of the treated water, treatment plant operators can estimate the amounts and quality of non-urban wastewater they can receive and treat without risk. In any event, the competent authorities will have the power to interfere in each individual ‘authorisation’ as and when appropriate.</p> <p>It should also be highlighted that there is a considerable number of small craft enterprises in Cyprus that do not have the capacity to develop their own waste treatment plants, therefore flexibility in receiving wastewater from domestic waste treatment treatment plants should be ensured.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                           | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>© treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>© the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |  |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |                           |
| <p>3. The <b>general binding rules regulations and</b> specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |                           |

<sup>15</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> <u>regulations</u> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></b></p> |                           |                           |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (21)                                                                               |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                                                          |
| <p>1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del><b>Part</b> B of Annex I.</p>                                                                                                                                                                                                                                                                            |                           | Cyprus is concerned about the high expenses and growing administrative burden brought on by this article's requirements. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                                                          |
| <p><b>2.</b> The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>16</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |                           |                                                                                                                          |

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

<sup>16</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

| New text proposal_Clusters1,3,5                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------|---------------------------|---------------------------|
| (21) 'antimicrobial resistance'                                              |                           |                           |
|                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                           |                           |
| (22); (23)                                                                   |                           |                           |
|                                                                              |                           |                           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>© influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>© contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <p><b>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</b></p> <p><b>(ii) poliovirus;</b></p> <p><b>(iii) influenza virus;</b></p> <p><b>(iv) emerging pathogens;</b></p> <p><b><u>(v) contaminants of emerging concern;</u></b></p> <p><b><u>(vi)</u> (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></p> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 1(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>© the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> | <p style="text-align: center; opacity: 0.5; font-size: 48px; transform: rotate(-30deg);">PUBLIC</p> | <p>Cyprus is of the opinion that this article should be optional rather than being required.</p> <p>Changes are being made in the correct direction. Such analyses, which are associated with significant expenses, should only be performed during pandemic periods when the data can contribute to the national pandemic plan.</p> <p>Please clarify whether the procedures for carrying out the required analyses are defined and known to all. It is the position of Cyprus that there should be well established methods of analysis.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
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| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p><del>32. 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</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> And at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <b><u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></b></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                               |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                           | <p>Cyprus is of the opinion that the implementation act should be available shortly after the Directive enters into force, taking into account the time required for Member states to complete the necessary tasks.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                                                                                                                                                                         |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                                         |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(14) 'sludge'</p>                                                                      |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                      |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                                                                                                                |
| 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, <b>preparing for</b> reuse, and recycling and <b>other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                                                                                                                                                                                                                                |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in <del>accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</b> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery. <del>In sludge and wastewater. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</del> |                           | Cyprus agrees with the addition of the sentence 'and from urban wastewater not reused under the derogation of Article 15(1)', since it should be possible to avoid removing phosphorous in order to optimise the reuse of reclaimed water, as these nutrients substitute chemical fertilisers. |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</b>;</p> <p>© <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</del></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>© <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |                           | <p>Cyprus: The new requirement added to paragraph 1© is considered impracticable. It is associated with high administrative costs and it is uncertain whether the requested data can be collected. In cases with many small agricultural parcels where many different crops are grown, this monitoring will be difficult. In Cyprus, most plots of land have these characteristics.</p> <p>It is proposed that the reclaimed water be used in accordance with a code of good agricultural practice as applied in Cyprus.</p> <p>Increased bureaucracy can ultimately be a strong disincentive for using recycled water. This will jeopardize the objectives of the circular economy.</p> <p>The reduction in the frequency of sampling is in the right direction, however it is considered that there should be a further reduction. Increased frequency is associated with high costs as well as significant additional administrative burden for the planning and execution of these tasks</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |                           |                           |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>© the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> <p><del>4.</del> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6-7</del> months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and <del>more above</del>;</p> | <p style="text-align: center; opacity: 0.5; font-size: 100px; transform: rotate(-45deg);">PUBLIC</p> | <p>Cyprus We recommend that the parameters to be analyzed for small agglomerations be drawn from the risk assessment rather than the Annex I standards.</p> <p>Cyprus strongly supports that micropollutant limit levels should be established.</p> <p>It would also be better to give MSs the flexibility to optimise monitoring for parameters that are important rather than applying rules horizontally. The new paragraph is in the right direction.</p> <p>4. Cyprus agrees with the increase of the range to 150.000 p.e.</p> <p>4b. We consider that the reduction of the monitoring frequency can be done earlier.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                        |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                                                                                                                                                                                                                                                                                  |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                                                                                                                                                                                                                                                                                                                                                  |
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| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(b) the identification and planning of investments required to implement this Directive for each agglomeration, including an indicative financial estimation and a 47ro ver47zation of those investments related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>© an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           | <p>Cyprus: We believe that Member States that have not yet completed all obligations under the current Directive should be given a later deadline to complete their first National Implementation Program under this Directive, which will be established three years after all obligations under the current Directive have been completed.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                                                                                                                                                                                                                                                                                                                                                  |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                                                                                                                                                                                                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> 6 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.                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

**5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:**

**(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:**

**(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:**

**(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if**

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| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 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.                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>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.</del> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>5</del> 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           |                           |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           | Cyprus: The time needed for preparation of various delegated acts should be taken into account in determining the various timetables associated with them. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                            |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                            |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                            |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                                                                                                            |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |

| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p>© <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p>© <b>the repetitive or singular character of the infringement</b>;</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>© relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>© 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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                           |                           |
| (42); (43)                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> .                                                        |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                                                                                |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                          |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such biomedica from being released into receiving waters</b> <del>the environment</del> .                                 |                           | Cyprus: Are there any specific standards to be followed for this monitoring?                                             |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                          |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           | Cyprus: How does this requirement relate to the provision for implementing solutions that do not impose excessive costs? |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                          |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                                                                                          |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                          |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                                                                                          |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                                                                                            | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup>                                                               | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                                                                                          | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                           | [Insert MS name] proposal         | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                    |                                                           |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                           |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4 : Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4 : Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4 : Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Maximum permitted number of samples which fail to conform |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 4                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 5                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 6                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 7                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 8                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 9                                                         |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 10                                                        |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 11                                                        |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 12                                                        |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 13                                                        |                                   |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>© the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>© the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p>2. <del>The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal                                               | [Insert MS name] comments         |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------|---------------------------|---------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------------------|---------------------------|--------------------------------------------------------------------|----------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                               |                                                                         |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                         |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                            |                                                                         |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                         |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (see Note 1)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two 70ro ver per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. or above to 99 999 p.e.:</td><td>One sample per week<br/>For micropollutants, two samples per week month.</td></tr></table> | — 1000 to 9 999 p.e.:                                                   | One sample per month (see Note 1) | — 10 000 to 49 999 p. e.: | Two 70ro ver per month<br>For micropollutants, one sample per month | — 50 000 p.e. or above to 99 999 p.e.: | One sample per week<br>For micropollutants, two samples per week month. | <p>The following amendment is proposed:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (see Note 1)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 or over to 99 999 p.e.:</td><td>One sample per week<br/>Two samples per month</td></tr></table> | — 1000 to 9 999 p.e.: | One sample per month (see Note 1) | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 or over to 99 999 p.e.: | One sample per week<br>Two samples per month | <p>Cyprus: The reduction in the frequency of sampling is in the right direction however the position of Cyprus is that further reduction is required.</p> <p>We also suggest reducing the monitoring frequency where micropollutants are not detected in consecutive measurements.</p> |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | One sample per month (see Note 1)                                       |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Two 70ro ver per month<br>For micropollutants, one sample per month     |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
| — 50 000 p.e. or above to 99 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | One sample per week<br>For micropollutants, two samples per week month. |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | One sample per month (see Note 1)                                       |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Two samples per month<br>For micropollutants, one sample per month      |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |
| — 50 000 or over to 99 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | One sample per week<br>Two samples per month                            |                                   |                           |                                                                     |                                        |                                                                         |                                                                                                                                                                                                                                                                                                                                                                             |                       |                                   |                           |                                                                    |                                  |                                              |                                                                                                                                                                                                                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   | [Insert MS name] proposal |                                                                                  | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|---------------------------|----------------------------------------------------------------------------------|---------------------------|
| <div>—100.000 p.e. or over:</div> <div>One <del>Two</del> samples per day <del>week</del></div> <div>For micropollutants, <del>two</del> <del>one</del> sample per week</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                   |                           | For micropollutants, <del>two</del> <b>one</b> sample per <del>week</del> month. |                           |
| <b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <div>—100.000 p.e. or over:</div> |                           | One <del>Two</del> samples per day <del>week</del>                               |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   |                           | For micropollutants, <del>two</del> <del>one</del> sample per week               |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   |                           |                                                                                  |                           |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>© for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |                                   |                           |                                                                                  |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   |                           |                                                                                  |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           |                           |
|                                                                                                                                                                                                                                                                           |                           |                           |
| 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.                                                 |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments                                                                                                             |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                                                                                                                                       |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>© <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                           | <p>Cyprus: 2 % is too low and should be further increased</p> <p>The timetable set is tight and we proposed that this is extended</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
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| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>© 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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                           |                           |

## LATVIA

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Latvia's proposal | Latvia's comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                   |                   |



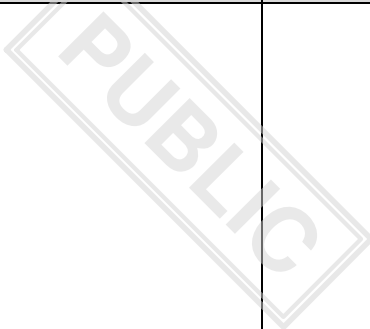
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Latvia's proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Latvia's comments                                                                                                                                                                                                                                                                  |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                    |
| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> When delineating their agglomerations, Member States should take into account the <u>indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u> Where <del>centralised collecting</del> <u>such</u> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                    | <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> When delineating their agglomerations, Member States should take into account the <u>indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u> Where <del>centralised collecting</del> <u>such</u> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them. <b>This does not mean that MS are obliged to connect all sources of non-domestic wastewater neither urban runoff.</b></p> | <p>In order to avoid misunderstandings regarding existing industrial installations that have their own wastewater treatment plants and discharge points inside the agglomeration, we suggest including this explanation from the Presidency Steering Note for 4 September WPE.</p> |
| <p>(6) <del>Exceptionally, where</del> <b>Where</b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <u>would not be technically feasible</u>, or <u>would</u> involve excessive costs, Member States should be allowed to use individual systems to <u>collect and</u> treat urban wastewater, as long as they ensure the same level of <u>protection of the environment treatment as secondary and tertiary treatment.</u> 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,</p> | <p>(6) <del>Exceptionally, where</del> <b>Where</b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <u>would not be technically feasible</u>, or <u>would</u> involve excessive costs, Member States should be allowed to use individual systems to <u>collect and</u> treat urban wastewater, as long as they ensure the same level of <u>protection of the environment treatment as secondary and tertiary treatment.</u> For this purpose, Member States should establish national, <b>regional or local</b> 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</p>                                                                                             | <p>The addition is proposed to harmonize the text of the recital (6) with the text of the article 4 (3).</p>                                                                                                                                                                       |

<sup>1</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Latvia's proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Latvia's comments |
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| <p>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. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                | <p>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. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                |                   |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> | <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations. Integrated management plans may be</u></b></p> |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Latvia's proposal                                                                                    | Latvia's comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <u>included in the already existing planning documents, for instance, spatial development plans.</u> |                   |
| <b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b>                         |                                                                                                      |                   |
| (11) Recent scientific knowledge underpinning several Commission strategies <sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b> . An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, which represent a significant part of the pollution and for which removal technologies are already designed. The treatment should be imposed based on the |                                                                                                      |                   |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Latvia's proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Latvia's comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p>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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>(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 Council , by those urban wastewater treatment plants. <u>In order to take into</u></p> | <p>Article 2 (9) of Directive (EU) 2018/2001 defines waste heat and cold separately from the renewable energy definition. At the same time recital (49) of the Directive (EU) 2018/2001 states:</p> <p>“To ensure that national measures for developing renewable heating and cooling are based on comprehensive mapping and analysis of the national renewable and waste energy potential and that such measures provide for increased integration of renewable energy, <u>by supporting, inter alia, innovative technologies such as heat pumps,geothermal and solar thermal technologies, and waste heat and cold</u>, it is appropriate to require that Member States carry out an assessment of their potential of energy from renewable sources and the use of waste heat and cold in the heating and cooling sector, in particular to promote energy from renewable</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Latvia's proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Latvia's comments                                                                                                                                                                                                                                                                                                                  |
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| <p>European Parliament and of the Council<sup>3</sup>, by those urban wastewater treatment plants. <u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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</p> | <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, waste heat and cold, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, which may be purchased or produced from external sources, shall be identified by energy audits carried out according to Article 11 (1).</u> 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 Council . Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle , 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" Plan . It is also in line with Directive (EU) 2018/844 of the European</p> | <p>sources in heating and cooling installations and promote competitive and efficient district heating and cooling.”</p> <p>We believe that waste heat and cold should be clearly mentioned in Recital (16) to avoid doubts whether it may be included in the renewable energies produced by urban wastewater treatment plant.</p> |

<sup>3</sup> 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).

<sup>4</sup> 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).

<sup>5</sup> 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.

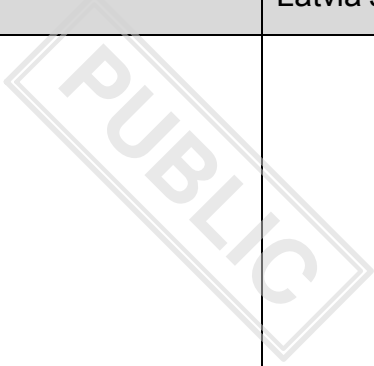
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Latvia's proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Latvia's comments |
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| expressed in the Commission "Repower EU" Plan <sup>6</sup> . It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council <sup>7</sup> 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 Council <sup>8</sup> 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. | Parliament and of the Council 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 Council 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. |                   |
| (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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse of treated wastewater. Member States should therefore regularly monitor and report on such non-domestic pollution that                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |

<sup>6</sup> 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).

<sup>7</sup> 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).

<sup>8</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Latvia's proposal                                                                   | Latvia's comments |
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| <p>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.</p> |  |                   |
| <p><del>(48)</del> <b>(19 bis)</b> 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, 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</p>                                                            |                                                                                     |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Latvia's proposal | Latvia's comments |
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| <p>should be carried out in accordance with Regulation (EU) 2020/741 of the European Parliament and of the Council <sup>9</sup>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| <p>(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.<br/> <u><b>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</b></u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                   |
| <p>(29) <del>Additional</del> <u><b>Adequate</b></u> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <u><b>sewer</b></u> overflows and <u><b>polluted</b></u> urban runoff <u><b>discharges. Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</b></u> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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.</p> |                   |                   |

<sup>9</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Latvia's proposal | Latvia's comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>The monitoring will also contribute to provide data for the overall Environmental Monitoring Framework as set up under the 8th Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |                   |                   |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                   | Latvia's proposal | Latvia's comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.                                                                                                                                                                                                                                                                 |                   |                   |
| (39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity. |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                   |                   |                   |

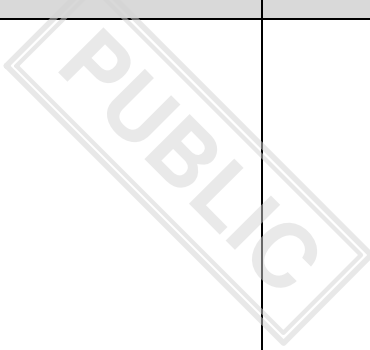
## ARTICLE 1 – SUBJECT MATTER

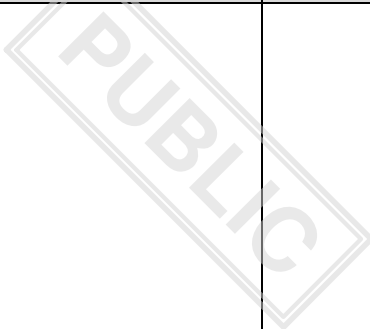
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                      |                           |                           |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> and improving the energy balance of urban wastewater collection and treatment activities. It also |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 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. |                           |                           |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                           |                           |                           |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                           |                           |                           |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them</del> ; |                           |                           |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                              |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>(3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b>, which is discharged into <del>collecting systems</del> from premises used for either the following:</p> <p>(a) the exercise of a trade;</p> <p>(b) <del>activities carried out by an institution;</del></p> <p>(c) <del>or</del> industrial <b>or economical</b> activities;</p> <p><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u></p> |  |                           |
| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated (<b>taking as a reference 10 p.e. per hectare or above</b>) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points. <u>into receiving waters;</u></p>                                                                                  |                                                                                     |                           |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |                           |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <b>into</b> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall;</del></p>                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                           |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |                           |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <b>including urban runoff; including urban runoff;</b></p>                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                           | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p><del>(a) domestic urban wastewater not including urban runoff;</del></p> <p><del>(b) non-domestic wastewater <b>non-domestic wastewater</b>;</del></p> <p><del>(c) a mixture of domestic and non-domestic wastewater;</del></p> <p><del>(d) rainwater from agglomerations;</del></p> |  |                           |
| <p>(10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load</del> <b>per day</b> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day</del> <b>per day</b>;</p>                                                                                                            |                                                                                     |                           |
| <p>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</p>                                                                                   |                                                                                     |                           |
| <p>(11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <b>which reduces removes most of biodegradable organic matter in from</b> urban wastewater;</p>                                                                                                                                                                             |                                                                                     |                           |
| <p>(12) 'tertiary treatment' means treatment of urban wastewater by a process which <b>reduces removes most of</b> <del>by a process which removes</del> nitrogen and/or phosphorus from the urban wastewaters;</p>                                                                                                                                                                                                                                |                                                                                     |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;                                                                                                                                                                                                          |                           |                           |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <b>organic residue and inorganic sludge-residue</b> resulting from the treatment of urban wastewater <b>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</b>                                                                             |                           |                           |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                           |                           |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                           |                           |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <b>and to the last five years average of the annual discharge</b> volume of urban wastewater <b>into surface waters;</b> <del>discharged from a treatment plant;</del>                                                                                  |                           |                           |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                     |                           |                           |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                 |                           |                           |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                   |                           |                           |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                           |                           |
| (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; |                           |                           |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                           |                           |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                           |                           |
| (25) <b>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                           |                           |                           |

## ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                            |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                |                           |                           |
|                                                                                                                                                                                                               |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                  |                           |                           |
| (4); (5); (6)                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                               |                           |                           |
| 1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements: |                           |                           |
| <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems;</li> <li>(b) all their sources of domestic urban wastewater are connected to the collecting system.</li> </ul>          |                           |                           |
|                                                                                                                                                                                                               |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><del>2. Unless they justify a derogation under paragraph 1 of Article 4, By 31 December 2030-2033, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</del></p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p><del>2. Unless they justify a derogation under paragraph 1 of Article 4, By 31 December 2030-2033, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 20332039:</del></p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>Criteria currently defined in Article 23 (5) (a) do not allow us to apply this 6 years derogation. At the same time, its is estimated that extension of the collection systems to connect all domestic (or urban) wastewater sources and upgrade wastewater treatment plants in this group of agglomerations will require ~ 420 million EUR. Such amount of invetsments is not realistic by 2033. Therefore, we either ask to amend criteria in Article 23 (5) (a) (please, see the proposal on the page XX), or to extend the deadline in this article at least by 2039.</p> |
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</u> shall also be based on the maximum average weekly load;</p>                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |

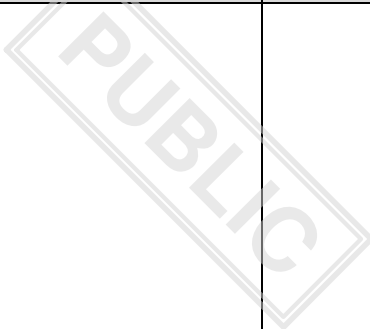
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                                                     |                           |                           |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, where individual systems are used are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local</del> level.</p>                                                                                                                                                                                                          |                           |                           |
| <p>34. The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2)</b> for establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by {24 months from the entry into force of this Directive}.</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations in</del> <b>each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph 34 where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>f24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                           |                           |
| (7); (8)                                                                                                                                                                                                                        |                           |                           |
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| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area</u> of agglomerations</b> of 100 000 p.e. and above. |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
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| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of agglomerations</u> referred to in paragraph 2 |                           |                           |
|                                                                                                                                                                                                                          |                           |                           |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                           |                           |
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| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                           |                           |
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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive.</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(11) 'secondary treatment'</p>                                                         |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on</del> <del>[please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on</del> <del>[please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> <del>urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |                           | <p>Criteria currently defined in Article 23 (5) (a) do not allow us to apply this 6 years derogation. At the same time, its is estimated that extension of the collection systems to connect all domestic (or urban) wastewater sources and upgrade wastewater treatment plants in this group of agglomerations will require ~ 420 million EUR. Such amount of invetsments is not realistic by 2033. Therefore, we either ask to amend criteria in Article 23 (5) (a) (please, see the proposal on the page XX), or to extend the deadline in this article at least by 2039.</p> |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                            |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| 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. |                           |                           |
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**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (16)                                                                               |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>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 <b>measures to reduce the use of energy</b> and or <b>enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] comments |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040<sub>1</sub></p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum <del>of 25%</del> of energy <del>that</del> may be produced or purchased from external renewable sources shall <b>be based on the results of the audits referred to in paragraph 1.:</b></u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040<sub>1</sub></p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> |                           |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
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| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
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| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority <del>or appropriate body</del>.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <del>or appropriate body</del>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <u>on request</u> 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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

15 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] comments                                                                                                                                                                                                             |
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| <p>3. The <del>general binding rules regulations</del> and specific authorisations referred to in paragraph 1 of this Article shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                       |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every 6 ten years.</p> <p>The <del>general binding rules regulations</del> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</p> | <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted <del>at least every 6 ten years</del> according to paragraph 1.</p> <p>The <del>general binding rules regulations</del> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</p> | <p>As Paragraph 1 already defines situations, when regulations and/or specific authorisations shall be reviewed, we believe that the requirement for an additional review every 10 years is an unnecessary administrative burden.</p> |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
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| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                           |                           |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (21) 'antimicrobial resistance'                                                    |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (22); (23)                                                                         |                           |                           |
|                                                                                    |                           |                           |

~~1. Member States shall monitor the presence of the following public health parameters in urban wastewater:~~

~~(a) SARS-CoV-2 virus and its variants;~~

~~(b) poliovirus;~~

~~(c) influenza virus;~~

~~(d) emerging pathogens;~~

~~(e) contaminants of emerging concern;~~

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

21. 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:

(a) the identification of ~~other~~ **relevant** public health parameters ~~than the ones referred to in paragraph 1~~ that are to be monitored **at least in the inlet of** urban wastewater **treatment plants**, such as those in the following list:

**(i) SARS-CoV-2 virus and its variants of interest;**

**(ii) poliovirus;**

**(iii) influenza virus;**

**(iv) emerging pathogens;**

**(v) contaminants of emerging concern;**

**(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;**

(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(a), ~~taking into account~~ **thus regarding** the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;

(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
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| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p><del>32. 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</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <b><u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></b></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(14) 'sludge'</p>                                                                      |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

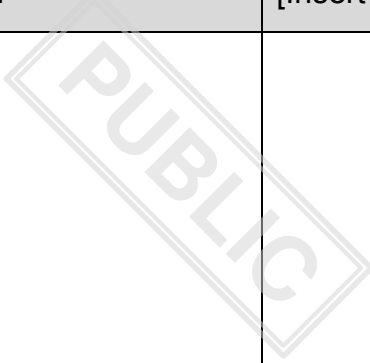
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 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, <b>preparing for</b> reuse, and recycling and <b>other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in <del>accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                           |                           |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</b>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  |                           |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture**.

~~4.~~ The monitoring referred to in ~~the first and second sub~~ **this** paragraphs **3** shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more above~~;

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
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| <p><b>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</b></p> <p><b>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</b></p> <p>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</b></p> <p>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if</p> | <p><b>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</b></p> <p><b>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</b></p> <p>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment <b>or less than 50% of the estimated wastewater load of these agglomerations is collected in collecting systems and is not subject to secondary treatment on</b> [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p><b>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</b></p> <p>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> | <p>We ask for reconsideration of the conditions set forth in Paragraph (i) of Article 23 (5) a). According to estimates there are 66 agglomerations between 1000 and 2000 p.e., but only 16 (24%) of them fully lack collecting systems. At the same time the remaining agglomerations have collecting systems that cover only part of their territory, i.e., existing collection systems shall be extended and also renewed and wastewater treatment plants shall be upgraded to achieve full compliance with the requirements of Article 3 (2), Article 6 (2) and Annex I (as Annex I among the other things also requires prevention of leaks of wastewater and prevention of inflow and infiltration into the collecting systems). It is estimated that more than 900 km of collection networks and more than 600 pumping stations, and 59 wastewater treatment plants shall be upgraded or built to ensure compliance. Both a huge amount of investment and time will be needed to establish such collection infrastructure. In our opinion it is not realistic to achieve compliance with Article 3 (2) and Article 6 (2) by 2033, taking into account that investments will be needed to achieve compliance with the requirements of other articles as well. We believe that the information provided above justifies the need for extension and that the conditions under which the extension may be granted should include also reference to the situations where most part of the wastewater load of the agglomeration is not collected and subject to treatment.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal                                                                                                                                                                                                                                                                                      | [Insert MS name] comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. | The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 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.                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>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.</del> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <b>5 3.</b> Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           |                           |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |

| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c) (b) the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</del></p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                           |                           |
| (42); (43)                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> .                                                        |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedial shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedial <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> .                   |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |



## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                      | [Insert MS name] comments                |                           |                                                                    |                                                             |                                                                                |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                  |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                               |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month <b>(see Note 1)</b></td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                          | One sample per month <b>(see Note 1)</b> | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One sample per month <b>(see Note 1)</b>                                       |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month             |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |                                          |                           |                                                                    |                                                             |                                                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|---------------------------|
| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           |                           |
|                                                                                                                                                                                                                                                                           |                           |                           |
| 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.                                                 |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) <del>an indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                           |                           |



## LUXEMBOURG

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Luxembourg proposal | Luxembourg comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                     |
| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> 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</p> |                     |                     |

the European Parliament and of the Council<sup>1</sup>.

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<sup>1</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Luxembourg proposal | Luxembourg comments |
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| <p>(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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b>When delineating their agglomerations, Member States should take into account the <u>indicative</u> reference threshold of <u>10 to 25</u> p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</b> Where <del>centralised</del> <u>such</u> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p> |                     |                     |

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| <p>(6) <del>Exceptionally, where</del> <b>Where</b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b>would not be technically feasible</b>, or <b>would</b> involve excessive costs, Member States should be allowed to use individual systems to <b>collect and</b> treat urban wastewater, as long as they ensure the same level of <b>protection of the environment</b> <del>treatment as secondary and tertiary treatment</del>. 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. <b>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and</b></p> |  |  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                   | Luxembourg proposal | Luxembourg comments |
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| <p><b><u>measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p> |                     |                     |

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| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |  |  |
| <p><b><u>(8 bis)</u></b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |

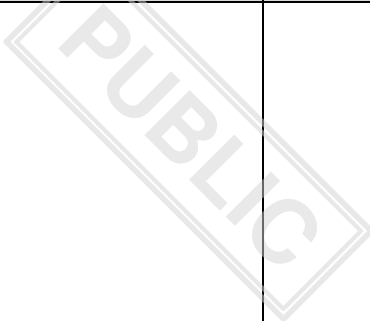
| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p><b><u>Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                   |                                   |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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</p> |                                   |                                   |
| <p><b>New text proposal_Clusters1,3,5</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>Luxembourg proposal</b></p> | <p><b>Luxembourg comments</b></p> |

<sup>2</sup> 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).

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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account.</u></b></p> |  |  |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Luxembourg proposal                                                                 | Luxembourg comments |
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| <p><b><u>A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u></b> 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 Council<sup>3</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>4</sup>, 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" Plan<sup>5</sup>. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>6</sup> 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</p> |  |                     |

<sup>3</sup> 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).

<sup>4</sup> 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.

<sup>5</sup> 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).

<sup>6</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Luxembourg proposal | Luxembourg comments |
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| <p>Council<sup>7</sup> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                     |                     |
| <p>(19) Urban wastewater treatment plants also receive nondomestic wastewater, including industrial wastewater, which can contain a range of pollutants not explicitly covered by Directive 91/271/EEC, such as heavy metals, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                     |                     |

<sup>7</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Luxembourg proposal | Luxembourg comments |
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| reviewing the authorisations provided to relevant, connected urban wastewater treatment plants.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |                     |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>8</sup>.</p> |                     |                     |
| <p>(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. <b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |                     |

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Luxembourg proposal | Luxembourg comments |
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| <p>(29) <del>Additional</del> <b>Adequate</b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b>sewer</b> overflows and <b>polluted</b> urban runoff <b>discharges</b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                     |                     |

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| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial</p> |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Luxembourg proposal | Luxembourg comments |
| <p>resistance and microplastics 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 Council<sup>9</sup>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                     |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                            |                     |                     |

<sup>9</sup> 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).

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| (39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity. |  |  |
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## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
|                                                                                    |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
| (2); (3)                                                                           |                     |                     |
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| <p>1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <u>to sustainable levels</u> 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.</p> |  |  |
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## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                              | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                     |                     |
|                                                                              |                     |                     |
| For the purpose of this Directive, the following definitions apply:          |                     |                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                          | Luxembourg proposal | Luxembourg comments |
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| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del> |                     |                     |

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| <p>(2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;</p>                                                                                                                                                                                                                                                                                                                                                                               |  |  |
| <p>(3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b>, which is discharged <del>into collecting systems</del> from premises used for <del>either the following</del>:</p> <p>(a) the exercise of a trade;</p> <p>(b) <del>activities carried out by an institution</del>;</p> <p>(e) <del>or industrial or economical</del> activities;</p> <p><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u></p> |  |  |
| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated (<del>taking as a reference 10 p.e. per hectare or above</del>) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an urban wastewater treatment plants</del> or to a <b>one or more</b> final discharge points. <u>into receiving waters</u>;</p>                                                                                   |  |  |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |

| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p>(6) <del>'sewer storm water overflow'</del> means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del>;</p>                                                                                                                                                                                                                                                          |  |  |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                           |  |  |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that</del> <b>designed to</b> collects and conducts urban wastewater <b>including urban runoff</b>; <del>including urban runoff</del>;</p>                                                                                                                                                                                                                                                        |  |  |
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p><del>(a)</del> — domestic urban wastewater <b>not including urban runoff</b>;</p> <p><del>(b)</del> — non-domestic wastewater <b>non-domestic wastewater</b>;</p> <p><del>(c)</del> — a mixture of domestic and non-domestic wastewater;</p> <p><del>(d)</del> — rainwater from agglomerations;</p> |  |  |
| <p>(10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load</del> <b>per day</b> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day per day</del> <b>per day</b>;</p>                                                                                                                   |  |  |
| <p>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</p>                                                                                                  |  |  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                  | Luxembourg proposal | Luxembourg comments |
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| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or <del>another process which reduces removes most of</del> <b>biodegradable organic matter <u>in from</u> urban wastewater;</b>                                                                                |                     |                     |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of by a process which removes</del> <b>nitrogen and/or phosphorus from the urban wastewaters;</b>                                                                                                                                                     |                     |                     |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;                                                                                                                                                   |                     |                     |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue</del> <b>resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <u>debris</u>, grit, grease, <u>other debris</u> and any other <u>screenings</u> residues from the <u>first</u> pre-treatment step);</b> |                     |                     |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                    |                     |                     |

| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>10</sup> ; |  |  |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                           |  |  |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |  |  |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                                    |  |  |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |  |  |
| (21) 'antimicrobial resistance' means the ability of microorganisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                                                                                                                              |  |  |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                    | Luxembourg proposal | Luxembourg comments |
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| (22) 'public concerned' means the public affected or likely to be affected by, or having an interest in, the decisionmaking procedures for the implementation of the obligations laid down in this Directive, including nongovernmental organisations promoting the protection of human health or the environment; |                     |                     |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                           |                     |                     |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                         |                     |                     |
| (25) ' <b>load</b> ' means the amount of <b>organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time</b> (usually kilogram per day or year).                                                |                     |                     |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                     |                     |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                     |                     |

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| Relevant recitals (please comment on recitals linked to this article) |  |  |
| (4); (5); (6)                                                         |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Luxembourg proposal                                                                                                                                                                                                                                                          | Luxembourg comments                                                                                                                                                                                                                                                                                                                   |
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| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4.</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of domestic urban wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                       |
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| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4.</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>2. Member States shall ensure that between 1000 and 2000 p.e. comply with the requirements of paragraph 1 by 31 December <del>2033</del>2030:</p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>We understand that some Member States will need more time to implement this point, hence Article 23(5) with an extended deadline of 6 years. We believe that a further extension of the deadline from 2030 to 2033 is not justified. We therefore reiterate our support for the deadline initially proposed by the Commission.</p> |

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| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based calculated</del> on the <del>basis of the</del> maximum average weekly load entering the treatment plant generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p> |                     |                     |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Luxembourg proposal | Luxembourg comments |
| <p><del>4</del> 3. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                         |                     |                     |

#### ARTICLE 4 – INDIVIDUAL SYSTEMS

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| New text proposal_Clusters1,3,5                                                                                                                                       | Luxembourg proposal | Luxembourg comments |
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |                     |                     |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |                     |                     |
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| Relevant recitals (please comment on recitals linked to this article)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |
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| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Luxembourg proposal | Luxembourg comments |
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| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p> |                     |                     |

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| <p><b>3. [NEW]</b> Member States shall ensure that <b>individual systems that are used in agglomerations of 1 000 p.e. and above, where individual systems are used</b> are registered in a public <b><u>national, or regional or local</u></b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local level</b>.</p>                                                                                                                                                                                                                                  |                     |                     |
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| <p><b>34.</b> The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2)</b> for establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>24 months</u> from the entry into force of this Directive.</b></p> |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Luxembourg proposal | Luxembourg comments |
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| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b><u>at national level</u></b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b><u>in each of the agglomerations</u></b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |  |  |
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| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

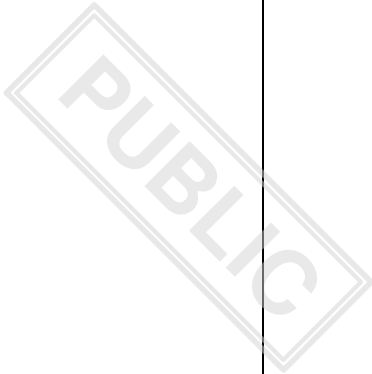
| New text proposal_Clusters1,3,5                                                           | Luxembourg proposal | Luxembourg comments                                                                                                                                                                                                                           |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                     | <p><b>"Polluted"</b> – During the WPE on 04/09, the Commission explained that under "polluted urban runoff" it is meant to tackle the heavy load of first flush, and not the usual rain. We would like to ask the Presidency to add a new</p> |



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|  |  | definition of to give more clarity in the recitals in order to reflect what is meant under this new term. |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                          | Luxembourg proposal | Luxembourg comments |
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| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                      |                     |                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |                     |                     |
| (7); (8)                                                                                                                                                                                                                 |                     |                     |
|                                                                                                                                                                                                                          |                     |                     |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of</b> agglomerations of 100 000 p.e. and above. |                     |                     |
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| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water overflow</del> or <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water overflow</del> represents more than <del>1%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow conditions</del>;</p> <p>(c) <del>sewer storm-water overflow</del> or <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p>(v) <b>the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  |  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | Luxembourg proposal | Luxembourg comments |
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| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b><u>each drainage area of</u></b> agglomerations referred to in paragraph 2 |                     |                     |
|                                                                                                                                                                                                                                 |                     |                     |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                           |                     |                     |
|                                                                                                                                                                                                                                 |                     |                     |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                         |                     |                     |
|                                                                                                                                                                                                                                 |                     |                     |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

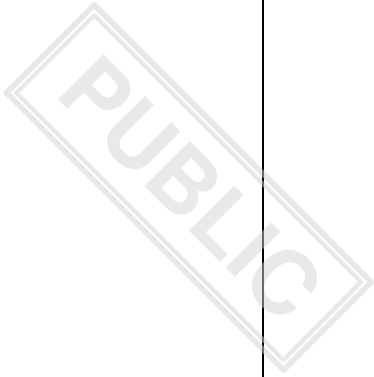
| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).<br/> <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive.</b></p> |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |  |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
| (11) 'secondary treatment'                                                         |                     |                     |

| New text proposal_Clusters1,3,5                                              | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------|---------------------|---------------------|
|                                                                              |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                     |                     |
| (12); (8bis)                                                                 |                     |                     |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater</b>, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on</del> <b>[please insert the date = date if entry into force of this directive]</b>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on</del> <b>[please insert the date = date if entry into force of this Directive]</b> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |  |  |
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| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> urban waste water entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</b> <del>accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> | <p>2. Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December <del>2033</del><b>2030</b> meet the relevant requirements for secondary treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I before discharge into receiving waters</p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>We understand that some Member States will need more time to implement this point, hence Article 23(5) with an extended deadline of 6 years. We believe that a further extension of the deadline from 2030 to 2033 is not justified. We therefore reiterate our support for the deadline initially proposed by the Commission.</p> |
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| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                       |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Luxembourg proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Luxembourg comments                                                                                                                                                                                                                                                                                                                   |

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| 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. |  |  |
|                                                                                                                                                                                                                  |  |  |

ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~  
SYSTEMS

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
| (16)                                                                               |                     |                     |
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| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p>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 costeffective <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> | <p>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 costeffective measures to reduce the use of energy and or enhance the production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing greenhouse gas methane emissions. The first audits shall be carried out:</p> <p>(c) by 31 December <b>2030 2025</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(d) by 31 December <b>2035 2030</b> 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.</p> | <p>Carrying out the audits will provide valuable information on the measures to be implemented in the short, medium and long term. Knowledge of the audit results does not necessarily imply an obligation to implement all the resulting recommendations immediately. On the contrary, the audit results will help to identify simple measures that can be implemented quickly to save energy and therefore money. They also provide important information for strategic planning in terms of long-term investment. It therefore seems counterproductive to delay the deadline for carrying out the audits.</p> <p>Luxembourg reiterates its support for the Commission's initial proposal with Deadlines of 2025 and 2030.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Luxembourg proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Luxembourg comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><del>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</del></p> | <p>2. Member States shall ensure that, at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, based on the results of the audits referred to in paragraph 1.</p> <p>This energy will be produced from urban wastewater resources <b>or from renewable energy resources resulting from investments made by the operators of urban wastewater treatment plants</b>, on or off-site. A maximum of 25% of energy may be <b>produced or purchased from external renewable energy suppliers sources.</b></p> <p>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</p> <p>(d) 20 % of the total annual energy used by such plants by 31 December 2030;</p> <p>(e) 60 % of the total annual energy used by such plants by 31 December 2035;</p> <p>(f) 100 % of the total annual energy used by such plants by 31 December 2040.</p> | <p>Luxembourg fully supports the energy neutrality obligations in this Directive.</p> <p>Bearing in mind that the energy that can be produced from urban wastewater resources is limited (e.g. biogas production), that there is limited space on the site of a wastewater treatment plant to install other types of renewable energy (e.g. wind, photovoltaic, etc.) and that the need for energy will increase with the quaternary treatment, it is important to be able to extend the production of renewable energy beyond the site of the wastewater treatment plant. We therefore welcome the clarification that "this energy will be produced from urban wastewater resources, <b>on or off-site</b>". In addition, a maximum of 25% may be purchased from an external source.</p> <p>However, at the WPE on 04/09/2023, the Presidency indicated that photovoltaic panels installed by the wastewater treatment plant operator on the wastewater treatment plant site would be counted as 75% "internal" energy, whereas installations such as wind turbines installed by the wastewater treatment plant operator off-site would be counted as 25% "external" energy. These are two sources of renewable energy that have no direct link with wastewater resources, but they are treated differently depending on where they are installed. This does not seem justified to us.</p> <p>We propose to differentiate between, on the one hand, energy produced <b>from wastewater treatment plant operators</b>, this also means investments made by them in renewable energy infrastructures, and on the other hand, <b>energy that is simply purchased on the energy market from an external energy suppliers</b>. If the operator of a wastewater treatment plants builds a wind turbine or other renewable energy outside the WWTP site, this energy should be considered as "internal".</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

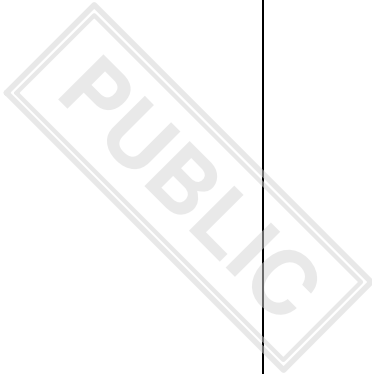
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                     |                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                     |                     |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                     |                     |
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| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                     |                     |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

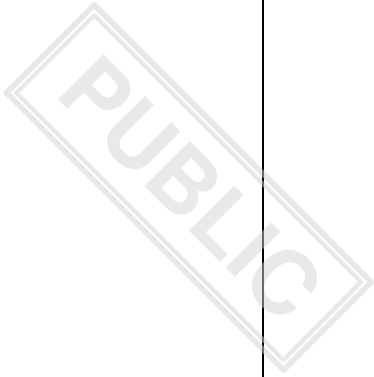
| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |

|                               |  |  |
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| (3) 'non-domestic wastewater' |  |  |
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| New text proposal_Clusters1,3,5                                              | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                     |                     |
| (19)                                                                         |                     |                     |
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| <p>1. Member States shall ensure that the discharges of nondomestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p>Those <del>general binding rules</del> <b>prior regulations and/or specific authorisations</b> shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> <b>regulations and/or specific authorisations</b> are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <b>and informs</b> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</b> allows the operators of collecting systems and urban wastewater treatment plants receiving nondomestic wastewater discharge to consult the specific authorisations granted in their catchment areas on request.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |  |  |
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| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <del>general binding rules regulations</del> <b>and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>11</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |  |                     |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Luxembourg proposal                                                                 | Luxembourg comments |
| <p>3. The <del>general binding rules regulations</del> <b>and</b> specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |                     |

<sup>11</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

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| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p>The <del>general binding rules</del> <b>regulations</b> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |  |  |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
| (3) 'non-domestic wastewater'                                                      |                     |                     |
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| Relevant recitals (please comment on recitals linked to this article)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |
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| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                      |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |  |  |

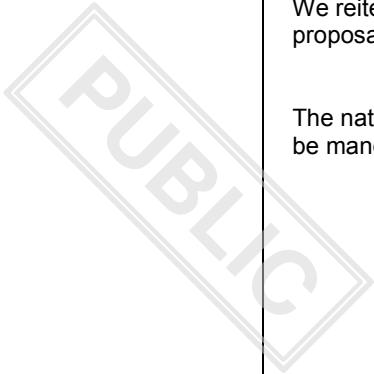
16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).



## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
| (21) 'antimicrobial resistance'                                                    |                     |                     |
|                                                                                    |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
| (22); (23)                                                                         |                     |                     |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <u>permanent</u> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <u>other relevant</u> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <u>at least in the inlet of</u> urban wastewater <u>treatment plants</u>, such as those in the following list:</p> <ul style="list-style-type: none"> <li>(i) <b>SARS-CoV-2 virus and its variants of interest;</b></li> <li>(ii) <b>poliovirus;</b></li> <li>(iii) <b>influenza virus;</b></li> <li>(iv) <b>emerging pathogens;</b></li> <li>(v) <b><u>contaminants of emerging concern;</u></b></li> <li>(vi) <b>(v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></li> </ul> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 1(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> |  | <p>We reiterate our support for the Commission's original proposal on compulsory monitoring of health parameters.</p> <p>The national cooperation and coordination system shall be mandatory.</p> |
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(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Luxembourg proposal | Luxembourg comments |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |                     |
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| <p>32. When a public health emergency <del>due to SARS-CoV2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARSCoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> <del>at least 70 % of the national population. Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and <del>more.</del> This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>12</sup>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>13</sup>±.</b></p> |                     |                     |
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<sup>12</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>13</sup> ± OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Luxembourg proposal | Luxembourg comments |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission shall <u>may shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an a</del> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                     |                     |
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| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                     |                     |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | Luxembourg proposal | Luxembourg comments |
|-------------------------------------------------------------------------------------------|---------------------|---------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                     |                     |
| <p>(14) 'sludge'</p>                                                                      |                     |                     |
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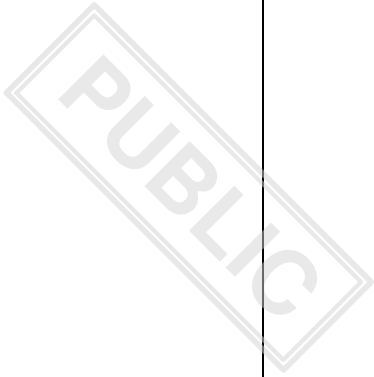
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| Relevant recitals (please comment on recitals linked to this article)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Luxembourg proposal | Luxembourg comments |
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                     |                     |
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| 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, <b>preparing for</b> reuse, <del>and</del> recycling <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                          |                     |                     |
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| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking</b> in order to take into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery. <del>in sludge and wastewater. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</del> |                     |                     |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
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| New text proposal_Clusters1,3,5                                              | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                     |                     |
| (29)                                                                         |                     |                     |
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| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order</del> to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></b></p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above,</del> <b><u>by means of analysis, calculations or modelling where appropriate;</u></b></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |  |  |
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| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b><u>polluted discharges of</u></b> <del>urban runoff discharges</del> <b>into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> |  |  |
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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture.</u></b></p> <p><del>4.</del> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6–7</del> months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and <del>more</del> <b>above</b>;</p> | <p>4. The monitoring referred to in t paragraphs 3 shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum 7 months between the samples, for agglomerations of <b>150.000 100.000</b> p.e. and above;</p> | <p>In accordance with the principle of non-regression, we are opposed to raising the threshold from 100,000 p.e. to 150,000 p.e., particularly in Articles 7 and 8. The threshold should therefore also be kept at 100,000 p.e. in Article 21(4).</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Luxembourg proposal | Luxembourg comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                     |                     |
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## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | Luxembourg proposal | Luxembourg comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                     |                     |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                     |                     |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |                     |
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| <p>1. By [OP please insert date = the last day of the <del>twenty third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p><b>(a)</b> an assessment of the level of implementation of Articles 3 to 8;</p> <p><b>(b)</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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p><b>(c)</b> an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p><b>(d)</b> the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                     |                     |
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| 2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8. |  |  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | Luxembourg proposal | Luxembourg comments |
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| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                     |                     |
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| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                     |                     |
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5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:

(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if

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| New text proposal_Clusters1,3,5                                                                                                                    | Luxembourg proposal | Luxembourg comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                     |                     |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
| (34)                                                                               |                     |                     |
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| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |

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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |  |  |
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| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | Luxembourg proposal | Luxembourg comments |
|-------------------------------------------------------------------------------------------|---------------------|---------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                     |                     |

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Luxembourg proposal | Luxembourg comments |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                     |                     |
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| 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.                                                                                                                       |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |                     |
| <del>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 nongovernmental organisations referred to in this paragraph.</del> |                     |                     |
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| <p>3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.</p>                                                                                                                                             |                     |                     |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                  | Luxembourg proposal | Luxembourg comments |
| <p><u>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</u></p>                                                                                                  |                     |                     |
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| <p>5 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del>. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1</p> |                     |                     |

#### ARTICLE 27 – EXERCISE OF THE DELEGATION

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| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |  |  |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |  |  |
| (35)                                                                               |  |  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Luxembourg proposal | Luxembourg comments |
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| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |                     |
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| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                     |                     |
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| <p>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.</p> |                     |                     |
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| <p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better LawMaking.</p>                                                                                                                                                                                                                                                                                   |                     |                     |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Luxembourg proposal | Luxembourg comments |
| <p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p>                                                                                                                                                                                                                                                                                                                                                                            |                     |                     |
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| <p>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.</p> |  |  |
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## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                     |                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                     |                     |
| (36)                                                                                                             |                     |                     |
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| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                     |                     |
| New text proposal_Clusters1,3,5                                                                                  | Luxembourg proposal | Luxembourg comments |
| implementation of the directive on urban wastewater treatment.                                                   |                     |                     |

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| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |  |  |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
| (37)                                                                               |                     |                     |
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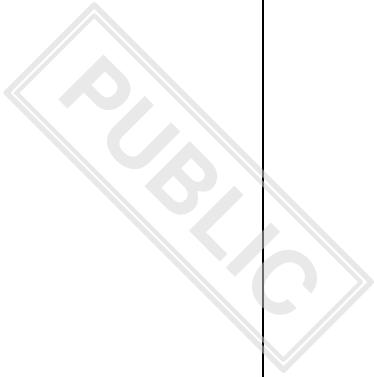


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| <p>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law, Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Luxembourg proposal | Luxembourg comments |
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| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p>(b) <del>the intentional or negligent character of the violation;</del></p> <p>(c) <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p>                                                                                                                                        |                     |                     |
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| 3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them. |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
|                                                                                    |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
| (38)                                                                               |                     |                     |
|                                                                                    |                     |                     |

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--|
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <ul style="list-style-type: none"> <li>(a) the experience gained through the implementation of this Directive;</li> <li>(b) the data sets referred to in Article 22(1);</li> <li>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</li> <li>(d) WHO recommendations, where available;</li> <li>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</li> </ul> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |  |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                     |  |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5 | Luxembourg proposal | Luxembourg comments |
|---------------------------------|---------------------|---------------------|
|---------------------------------|---------------------|---------------------|

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |  |  |
|                                                                                                                                                                                                                                        |  |  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |  |  |
|                                                                                                                                                                                                                                        |  |  |
| 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. |  |  |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | Luxembourg proposal | Luxembourg comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                     |                     |
|                                                                                                                                                                                                                     |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                     |                     |
| (42); (43)                                                                                                                                                                                                          |                     |                     |
|                                                                                                                                                                                                                     |                     |                     |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                     |                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Luxembourg proposal | Luxembourg comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                     |                     |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                     |                     |

#### ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                           | Luxembourg proposal | Luxembourg comments |
|-------------------------------------------------------------------------------------------|---------------------|---------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                     |                     |
|                                                                                           |                     |                     |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                     |                     |
|                                                                                           |                     |                     |

|                                                                                                                                                                                                                                                                                        |                     |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.                                                                                                                                            |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | Luxembourg proposal | Luxembourg comments |
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                     |                     |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | Luxembourg proposal | Luxembourg comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                     |                     |
|                                                                                                                                                                                                   |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                     |                     |
|                                                                                                                                                                                                   |                     |                     |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                     |                     |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A. COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Luxembourg proposal | Luxembourg comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                     |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V</b>.</li> </ul> |                     |                     |

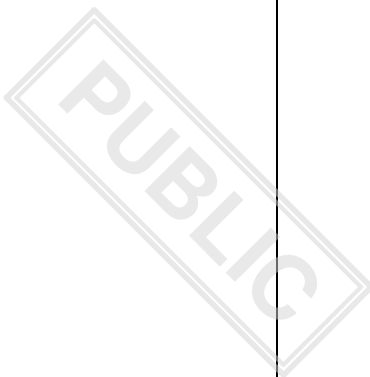
## B. DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | Luxembourg proposal | Luxembourg comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                          |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                          |                     |                     |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                          |                     |                     |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                          |                     |                     |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                     |                     |



|                                                                                                                                                                                                                                                                                                                  |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                  |  |  |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations and included in the list</b> referred to in Article 8(24) shall, <del>in addition to the requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b> |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                              | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
|                                                                                                                                                                                                                                                                                                                              |                     |                     |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such biomedica from being released into receiving waters</b> <del>the environment.</del> |                     |                     |
|                                                                                                                                                                                                                                                                                                                              |                     |                     |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                               |                     |                     |
|                                                                                                                                                                                                                                                                                                                              |                     |                     |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                       |                     |                     |
|                                                                                                                                                                                                                                                                                                                              |                     |                     |

|                                                                                                                                  |                        |                                                                        |                                                      |                                                                                     |  |
|----------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------|------------------------------------------------------|-------------------------------------------------------------------------------------|--|
| <p>rements for discl<br/>ts subject to Artic<br/>age of r</p> <p>6</p> <p>he Directive. The<br/>eduction</p> <p>shall apply.</p> |                        |                                                                        |                                                      |  |  |
| Parameters                                                                                                                       | Concentration          | Minimum<br>percentage<br>of reduction<br>(see Note<br>4) <sup>14</sup> | Reference<br>method of<br>measurement                |                                                                                     |  |
| Biochemical<br>oxygen<br>demand<br>(BOD5 at 20                                                                                   | 25 mg/l O <sub>2</sub> | 70-90<br>40-under<br>Article 4 (2)                                     | Homogenized,<br>unfiltered,<br>undecanted<br>sample. |                                                                                     |  |

| New text proposal_Clusters1,3,5                       |                         |                                      |                                                                                                                                                                         | Luxembourg proposal | Luxembourg comments |
|-------------------------------------------------------|-------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| °C) without<br>nitrification<br>(see Note 1)          |                         | <b>40 under<br/>Article<br/>6(3)</b> | Determination of<br>dissolved oxygen<br>before and after<br>fiveday incubation<br>at 20 °C ± 1 °C, in<br>complete darkness.<br>Addition of a<br>nitrification inhibitor |                     |                     |
| Chemical<br>oxygen<br>demand<br>(COD) (See<br>Note 2) | 125 mg/l O <sub>2</sub> | 75                                   | Homogenized,<br>unfiltered,<br>undecanted sample<br>Potassium<br>dichromate                                                                                             |                     |                     |
| Total<br>Organic<br>Carbon (See<br>Note 2)            | 37 mg/l                 | 75                                   | EN 1484                                                                                                                                                                 |                     |                     |

<sup>14</sup> Reduction in relation to the load of the influent.

|                                                                                                        |                      |                 |                                                                                                                                                                                                                                                                                                               |  |  |
|--------------------------------------------------------------------------------------------------------|----------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Total suspended solids                                                                                 | 35 mg/l (see Note 3) | 90 (see Note 3) | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |  |  |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                      |                 |                                                                                                                                                                                                                                                                                                               |  |  |

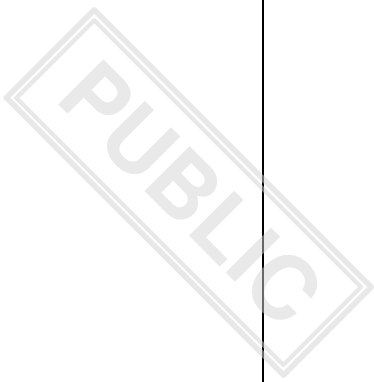
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                           | Luxembourg proposal                                       | Luxembourg comments |                                     |                                                           |     |   |      |   |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|---------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p> |                                                           |                     |                                     |                                                           |     |   |      |   |  |  |
|                                                                                                                                                                                                                                                                                                                                           |                                                           |                     |                                     |                                                           |     |   |      |   |  |  |
| <table><tr><td colspan="2">Table 4: <b>Requirement for samples</b></td></tr><tr><td>Series of samples taken in any year</td><td>Maximum permitted number of samples which fail to conform</td></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr></table>                                                                | Table 4: <b>Requirement for samples</b>                   |                     | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 |  |  |
| Table 4: <b>Requirement for samples</b>                                                                                                                                                                                                                                                                                                   |                                                           |                     |                                     |                                                           |     |   |      |   |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                       | Maximum permitted number of samples which fail to conform |                     |                                     |                                                           |     |   |      |   |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                       | 1                                                         |                     |                                     |                                                           |     |   |      |   |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                      | 2                                                         |                     |                                     |                                                           |     |   |      |   |  |  |

|                                 |    |                     |                     |
|---------------------------------|----|---------------------|---------------------|
| 17-28                           | 3  | PUBLIC              |                     |
| 29-40                           | 4  |                     |                     |
| 41-53                           | 5  |                     |                     |
| 54-67                           | 6  |                     |                     |
| 68-81                           | 7  |                     |                     |
| 82-95                           | 8  |                     |                     |
| 96-110                          | 9  |                     |                     |
| 111-125                         | 10 |                     |                     |
| 126-140                         | 11 |                     |                     |
| 141-155                         | 12 |                     |                     |
| 156-171                         | 13 |                     |                     |
| New text proposal_Clusters1,3,5 |    | Luxembourg proposal | Luxembourg comments |
| 172-187                         | 14 |                     |                     |
| 188-203                         | 15 |                     |                     |
| 204-219                         | 16 |                     |                     |
| 220-235                         | 17 |                     |                     |
| 236-251                         | 18 |                     |                     |
| 252-268                         | 19 |                     |                     |
| 269-284                         | 20 |                     |                     |
| 285-300                         | 21 |                     |                     |
| 301-317                         | 22 |                     |                     |

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|---------|----|--|--|
| 318-334 | 23 |  |  |
| 335-350 | 24 |  |  |
| 351-365 | 25 |  |  |

**C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER**

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
|                                                                                    |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
|                                                                                    |                     |                     |

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------|
| <p>1. The <del>prior general binding rules</del> <b>prior regulations</b> and/or specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the nondomestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the nondomestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the nondomestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |  |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Luxembourg proposal                                                                 | Luxembourg comments |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |  |  |
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#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                     |                     |
|                                                                                    |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                     |                     |
| (12)                                                                               |                     |                     |
|                                                                                    |                     |                     |

|                                                                                                                                                                             |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                              | Luxembourg proposal | Luxembourg comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with al relevant information concerning the applied monitoring method.</p>                                    |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                              |                     |                     |
| <p>2. Flow-proportional or time-based 24-hour samples shall be collected at the same well-defined point in the outle and, if necessary, in the inlet of the urban wastewater treatment plant. However, any time-based samples used to monitor micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p> |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                              |                     |                     |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p>                                                                                                                                                                                                                                                                       |                     |                     |



|                                        |                                                                                     |  |
|----------------------------------------|-------------------------------------------------------------------------------------|--|
| — 1000 to 9 999 p.e.:                  | One sample per month ( <b>see Note 1</b> )                                          |  |
| — 10 000 to 49 999 p. e.:              | Two samples per month<br><br>For micropollutants, one sample per month              |  |
| — 50 000 p.e. or above to 99 999 p.e.: | One sample per week<br><br>For micropollutants, two samples per week <b>month</b> . |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | Luxembourg proposal | Luxembourg comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------|---------------------|
| <div><div>—100.000 p.e. or over:</div><div>One <del>Two</del> samples per day <del>week</del></div><div>For <del>micropollutants, two</del> <del>one</del> sample per week</div></div> <div><p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p></div> |  |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                     |                     |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                     |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <p>4. The treated <b>urban</b> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall conform to the parametric values set out in that table.</p> |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Luxembourg proposal | Luxembourg comments |
| <p>5. The samples shall be taken so that they reflect the pollution during dry weather <b>flow conditions</b>. Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                     |                     |

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| 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. |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | Luxembourg proposal | Luxembourg comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                     |                     |
|                                                                                                                                                                                                                                    |                     |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                     |                     |
|                                                                                                                                                                                                                                    |                     |                     |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | Luxembourg proposal | Luxembourg comments |
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry                                                          |                     |                     |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Luxembourg proposal | Luxembourg comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |                     |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                     |
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| <p>1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:</p> <p>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in</p> |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Luxembourg proposal | Luxembourg comments |

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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                     |                     |
| <p>2. Objectives for the reduction of pollution from <del>storm water</del> <b>sewer</b> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water</del> <b>sewer</b> overflow; represents <b>only no more than 1% a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative</del> <b>target objective</b> shall <del>should</del> be met by:</p> <p>(i) 31 December 2035 <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December 2040 <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewer</del> <b>sewer</b> collection <del>networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters;</b></p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                     |                     |
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Luxembourg proposal | Luxembourg comments |

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| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |  |  |

## HUNGARY

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [HU] proposal | [HU] comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |               |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> 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 Council<sup>1</sup>.</p> |               |               |

<sup>1</sup> 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).

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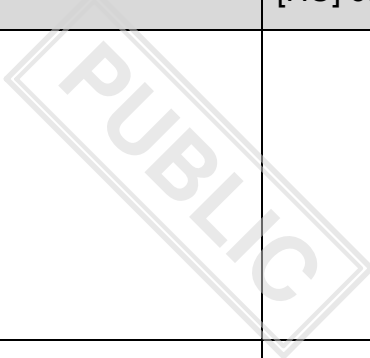


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [HU] proposal                                                                                                                                                                            | [HU] comments                                                                                                                                                                                              |
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| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> When delineating their agglomerations, Member States should take into account the <u>indicative reference threshold of 10 to 25 p.e. per hectare</u> above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated. Where <u>centralised collecting such</u> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>When delineating their <b>new</b> agglomerations, Member States should take into account the indicative reference threshold of 10 to <del>25</del> <b>p.e. 30</b> per hectare....</p> | <p>The reference value for the delineation of agglomerations (10-25 p.e./ha) should be increased to 30 p.e./ha and we propose that only new agglomeration delineation should be subject to this value.</p> |
| <p>(6) <del>Exceptionally, where</del> <u>Where</u> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <u>would not be technically feasible</u>, or <u>would</u> involve excessive costs, Member States should be allowed to use individual systems to <b>collect and</b> treat urban wastewater, as long as they ensure the same level of <u>protection of the environment</u> <del>treatment as secondary and tertiary treatment</del>. 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. <u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and</u></p> | <p>Where <b>new</b> individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above...</p>      | <p>We suggest to clarify the text that requirements only valid for new IAS.</p>                                                                                                                            |

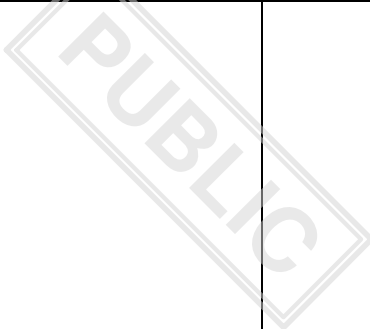
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [HU] proposal | [HU] comments |
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| <u>measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></p> |               |               |
| <p><u>(8 bis) 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. Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [HU] proposal | [HU] comments                                                                                              |
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| <u><b>Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</b></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                                                                                            |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <u>usually</u> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b>low concentrations of micrograms per litre or below</b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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</p> |               | <p>We suggest to quantify in the text what is considered to be a low concentration of micropollutants?</p> |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [HU] proposal                                                                       | [HU] comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |               |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account.</u></b></p> |                                                                                     |               |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [HU] proposal                                                                       | [HU] comments |
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| <p><b><u>A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u></b> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> 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</p> |  |               |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).

<sup>7</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [HU] proposal | [HU] comments |
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| <p>Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |               |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |               |               |

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [HU] proposal                                                                                                                                | [HU] comments                                                                                                                                                          |
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| <p>reviewing the authorisations provided to relevant, connected urban wastewater treatment plants.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |                                                                                                                                                                        |
| <p>(18) <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                                                                              |                                                                                                                                                                        |
| <p>(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.<br/> <b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                        | <p><del>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</del></p> | <p>We think that the use of nutrients extracted from sludge should be left to the Member States' competence, and therefore we propose to delete the last sentence.</p> |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [HU] proposal | [HU] comments |
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| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |               |               |
| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                            | [HU] proposal | [HU] comments |
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| resistance and microplastics 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 Council <sup>10</sup> .                                                     |               |               |
| (39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte. |               |               |
| <b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity.</b>                                                                   |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |

<sup>10</sup> 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).

## ARTICLE 1 - SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <u>to sustainable levels</u> 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. |               |               |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                              | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |               |               |
|                                                                              |               |               |
| For the purpose of this Directive, the following definitions apply:          |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [HU] proposal | [HU] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them</b> ;                                                                                                                                                                                                                                                                                                          |               |               |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                   |               |               |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged into collecting systems from premises used for either the following:<br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution</del> ;<br>(c) <del>or industrial or economical activities</del> ;<br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |               |               |
| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above) for urban wastewater to be collected and conducted to one or more an urban wastewater treatment plants or to a one or more final discharge points.</del> <b>into receiving waters</b> ;                                                                                          |               |               |
| (5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                                                                                               |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                       | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (6) ' <del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                                   |               |               |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                      |               |               |
| (8) 'combined sewer' means a <u>single</u> conduit <del>that that designed to</del> collects and conducts urban wastewater <b><u>including urban runoff</u></b> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                                 |               |               |
| (9) 'separate sewer' means a <u>system of</u> conduits that separately collects and conducts <b>either urban runoff or either of the following</b> :<br><del>(a) domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b> ;<br><del>(b) non-domestic wastewater</del> <b><u>non-domestic wastewater</u></b> ;<br><del>(c) a mixture of domestic and non-domestic wastewater</del> ;<br><del>(d) rainwater from agglomerations</del> ; |               |               |
| (10) ' <del>1</del> population equivalent' or ' <del>(1 p.e.)</del> ' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day</del> ;                                                                                                                     |               |               |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.                                                                                             |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                     | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or <del>another process which reduces removes most of biodegradable organic matter in from</del> urban wastewater;                                                                                 |               |               |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> by a process which removes nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                               |               |               |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> reduces a broad spectrum of micropollutants <del>in from the</del> from urban wastewaters;                                                                                                                                                    |               |               |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue</del> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <del>debris, grit, grease, other debris and any other screenings</del> residues from the <del>first</del> pre-treatment step); |               |               |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                       |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |               |               |
| (17) 'dilution ratio' means the ratio <del>of between</del> the <b>last five years average volume</b> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the</del> annual <b>discharge</b> volume of urban wastewater <b>into surface waters; discharged from a treatment plant;</b>                                                                           |               |               |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |               |               |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |               |               |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |               |               |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                                                                                                                             |               |               |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [HU] proposal | [HU] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (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; |               |               |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |               |               |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |               |               |
| (25) ' <b>load</b> ' means the amount of <b>organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time</b> (usually kilogram per day or year).                                                  |               |               |

### ARTICLE 3 - COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | [HU] proposal | [HU] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |               |               |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |               |               |
|                                                                                                                                                                |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                   |               |               |
| (4); (5); (6)                                                                                                                                                  |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [HU] proposal                                                                                                                                                                                    | [HU] comments                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of domestic urban wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                               |                                                                                                                                                                                                  |                                                                      |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that all agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                                                                                                                                                                                                  | See the comments at Art 23 5.                                        |
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <u>based calculated on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p>                                                                                                                     | <p>The calculation of the load of an agglomeration expressed in p.e. shall be based calculated on the basis of the maximum average weekly load entering the <del>treatment plant(s)</del>...</p> | <p>An agglomeration could be served by several treatment plants.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                  |                                                                      |



| New text proposal_Clusters1,3,5                                             | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------|---------------|---------------|
| 4 3. Collecting systems shall fulfil the requirements of Part A of Annex I. |               |               |

## ARTICLE 4 - INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |               |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |               |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> if the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above.</b></p> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [HU] proposal                                                                                                                                                                                                                                                                        | [HU] comments                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least achieves</del> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><u>This requirement will apply to existing individual systems six years after 2033.</u></p>                                                                                                                                                                                           | <p>Member States shall ensure that individual systems are designed, operated and maintained in a manner that ensures at least achieves the same level of environmental protection treatment as the secondary <del>and tertiary treatments</del> referred to in Articles 6 and 7.</p> | <p>We agree with the deletion of the last two sentences. Please also delete the word tertiary treatment from the first sentence, as the sensitive designation of the Black Sea requires the installation of tertiary treatment specific equipment throughout the whole country. The cost of this significantly outweighs the environmental benefits.</p> |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used in agglomerations of 1 000 p.e. and above</b>, <del>where individual systems are used</del> are registered in a public <b><u>national, or regional or local</u></b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                          |
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on for</del>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b><u>The Commission will provide the requirements by [24 months from the entry into force of this Directive].</u></b></p> |                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                          |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph 34 where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |               |               |
| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | [HU] proposal | [HU] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |               |               |
|                                                                                                                                                                                                                                 |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |               |               |
| (7); (8)                                                                                                                                                                                                                        |               |               |
|                                                                                                                                                                                                                                 |               |               |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area of</u></b> agglomerations of 100 000 p.e. and above. |               |               |
|                                                                                                                                                                                                                                 |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [HU] proposal                                                                                               | [HU] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025-2027</del> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>By 31 December <del>2030</del> <b>2035</b> Member States shall establish a list of agglomerations...</p> | <p>The compliance is based on the results of the first 5-year monitoring according to the definition of dilution ratio in Art. 2 point 17. As currently there is no requirement for this monitoring, first we need to establish this monitoring obligation and after the first 5-year monitoring cycle can the list be established.</p> <p>We propose to exclude the issue of separated stormwater sewer system from the scope of the urban runoff in the revision of the Directive.</p> <p>We support the option 2 proposal of BE about the risk based approach of urban runoff.</p> <p>Polluted urban runoff: please delete the word polluted. The word polluted alone cannot be interpreted as a technical condition.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [HU] proposal | [HU] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 |               |               |
|                                                                                                                                                                                                                          |               |               |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |               |               |
|                                                                                                                                                                                                                          |               |               |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |               |               |
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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [HU] proposal | [HU] comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).<br/> <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive</b>.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |               |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |               |

## ARTICLE 6 - SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
| <p>(11) 'secondary treatment'</p>                                                         |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [HU] proposal                                                                | [HU] comments                                                    |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                              |                                                                  |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                              |                                                                  |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> <del>urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment</del> before discharge into receiving waters.</p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for:</del></p> <p><del>(a) For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on [please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p><del>(b)</del> For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on [please insert the date = date if entry into force of this Directive] and fifteen years in the case of Madeira after the entry into force of this Directive.</del></p> | <p>„... before discharge into <del>receiving waters</del> the receiver.”</p> | <p>Discharges can occur to a variety of receivers e.g. soil.</p> |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [HU] proposal                                                     | [HU] comments                                                    |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment</del> before discharge into receiving waters by 31 December 2030.</p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>.... before discharge into receiving waters the receiver."</p> | <p>Discharges can occur to a variety of receivers e.g. soil.</p> |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     |                                                                   |                                                                  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [HU] proposal | [HU] comments |
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| 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. |               |               |
|                                                                                                                                                                                                                  |               |               |

# ARTICLE 11 - ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING SYSTEMS~~

| New text proposal_Clusters1,3,5                                                    | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (16)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |               |               |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [HU] proposal                                                                                                                                                                                                                                                                                                                          | [HU] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources</u>, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, <u>produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040.</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>(a) 50 20 % of the total annual energy used by such plants by 31 December <del>2030</del>; <b>2035</b></p> <p>(b) 75 60% of the total annual energy used by such plants by 31 December <del>2035</del>; <b>2040</b></p> <p>(c) 100 % of the total annual energy used by such plants by 31 December <del>2040</del>; <b>2045</b></p> | <p>We think that the wording that the source of energy should be wastewater is restrictive, there should be the possibility to use other renewable sources of energy from wastewater treatment plants (solar energy, hydropower) and this should be made clear in the text.</p> <p>Since the Presidency is proposing to extend the deadline for the audit provided for in the first paragraph, and since this audit will determine the list of energy-saving measures, we consider it necessary to extend the deadline for achieving energy efficiency by 5 years in order to ensure consistency between the first and second paragraphs.</p> |

## ARTICLE 13 - LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [HU] proposal | [HU] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |               |               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |               |               |
| (18)                                                                                                                                                                                                                                                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                     |               |               |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |               |               |

## ARTICLE 14 - DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
| (3) 'non-domestic wastewater'                                                      |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [HU] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [HU] comments                                                                                                                                                                            |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                          |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                          |
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| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority <del>or appropriate body</del>.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <del>or appropriate body</del>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> | <p>(b) on request 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 <b>drainage</b> areas on request.</p> <p>Member States shall ensure that the operators of collecting systems and urban wastewater <b>treatment plants</b> into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</p> | <p>To ensure consistency with other paragraphs.</p> <p>We suggest this proposal for editorial propose, to clarify because operators can operate treatment plants and not wastewater.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [HU] proposal | [HU] comments |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |               |

15 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>3. The <del>general binding rules regulations</del> and specific authorisations referred to in paragraph 1 of this Article shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                |               |               |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every 6 <del>ten</del> years.</p> <p>The <del>general binding rules regulations</del> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |               |               |

## ARTICLE 16 - BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |

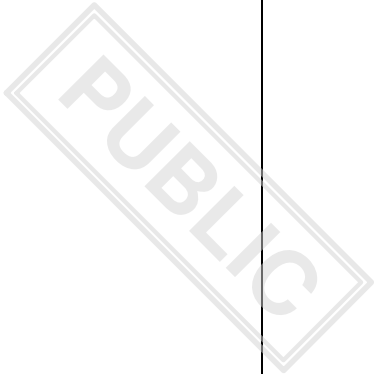


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                      |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |               |               |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 - URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
| (21) 'antimicrobial resistance'                                                    |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (22); (23)                                                                         |               |               |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>(c) influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>(e) contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <p><b>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</b></p> <p><b>(ii) poliovirus;</b></p> <p><b>(iii) influenza virus;</b></p> <p><b>(iv) emerging pathogens;</b></p> <p><b>(v) <u>contaminants of emerging concern</u>;</b></p> <p><b>(vi) <u>(v)</u> any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></p> <p><b>(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(a), taking into account thus regarding the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</b></p> <p><b>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</b></p> |  | <p>We agree with the requirements.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [HU] proposal | [HU] comments |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
| <p><del>32. 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 relevant public health parameters shall be monitored in urban wastewaters from a representative distribution at least 70 % of the national population. <u>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</u> 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 the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></del></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission shall <del>may</del> <b>shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> a uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |

## ARTICLE 20 - SLUDGE **AND RESOURCE RECOVERY**

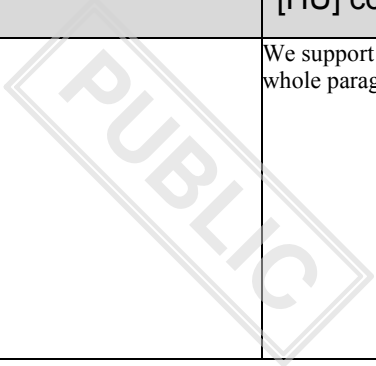
| New text proposal_Clusters1,3,5                                                           | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
| <p>(14) 'sludge'</p>                                                                      |               |               |
|                                                                                           |               |               |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [HU] proposal | [HU] comments                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                                                                                                                                                                                                                                           |
| 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, <b>preparing for</b> reuse, <del>and</del> recycling <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                      |               |                                                                                                                                                                                                                                                                                           |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in accordance with the procedure referred to in Article 27 <del>to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . <b>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |               | We support the deletion of nitrogen from the text. However, we propose that the issue of sludge and the methods and targets for its recovery should remain within the competence of the Member States, and we do not support to give a mandate to the Commission for an implementing act. |

## ARTICLE 21 - MONITORING

| New text proposal_Clusters1,3,5                                                    | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [HU] proposal                                                                                                                                                     | [HU] comments                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                   |                                                                                                                                                                                            |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                   |                                                                                                                                                                                            |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2-1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of <del>above 10 000 p.e.</del> <b>and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e</del> <b>and above.</b></p> | <p>(c) quantities per year <del>and per month</del> of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1);</p> | <p>Please delete the word per month, as the Regulation 2020/741 of the European Parliament and of the Council on minimum requirements for water reuse also requires annual monitoring.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                   |                                                                                                                                                                                            |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [HU] proposal                                                                       | [HU] comments                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies <b>in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> |  | <p>We support BE non-paper proposal about the deletion of this whole paragraph.</p> |



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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <p>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</p> <p>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</p> <p>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</p> <p>(iv) Annexes I and II to Directive 86/278/EEC.</p> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> <p><b><u>4.</u></b> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b><u>3</u></b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6-7</del> months between the samples, for agglomerations of <del>100 000-150.000</del> <b><u>150.000</u></b> p.e. and <del>more</del> <b><u>above</u></b>;</p> | <p>For all agglomerations of above 10 000 p.e., Member States shall ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant monitor the presence of micro plastics in the sludge <del>when relevant and, notably,</del> when it is reused in agriculture.</p> <p><del>150.000 p.e.</del> <b>200.000 p.e</b> and more above;</p> | <p>We consider it important to test for microplastics in the case when the sludge used in agriculture, and therefore we request the deletion of the words "relevant and notably, when".</p> <p>It is proposed to increase the size category from 150.000 p.e. to 200.000 p.e. in order to save monitoring costs.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [HU] proposal                                                                                                                                                   | [HU] comments                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(b) at least one sample every <b>2 two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b>[NEW] <del>The This monitoring frequency established in this paragraph</del> may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below <del>standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification</del> during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</b></p> <p><b>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</b></p> | <p>between 10 000 p.e. and <del>100 000 p.e.</del> <b>200.000 p.e</b></p> <p>This monitoring frequency <b>should be reviewed at least every third year.</b></p> | <p>It is proposed to increase the size category to 200.000 p.e. in order to save monitoring costs.</p> <p>We find the annual review of the frequency of monitoring too frequent and believe that it should be sufficient to review it every three years at most.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                 |                                                                                                                                                                                                                                                                      |

## ARTICLE 23 - NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [HU] proposal | [HU] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |               |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |               |
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| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p><b>(a)</b> an assessment of the level of implementation of Articles 3 to 8;</p> <p><b>(b)</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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p><b>(c)</b> an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p><b>(d)</b> the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [HU] proposal | [HU] comments |
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| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |

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| <p>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</p> <p>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</p> <p>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</p> <p>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive];</p> <p>(ii) and</p> <p>(iii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if</p> | <p>less than 50 % of the agglomerations <b>between 1000 and 2000 p.e.</b> that are provided with collecting systems and are not <b>linked to other agglomerations, that are falling under the scope of the Directive 91/271/EEC</b> to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; <del>and</del> or</p> <p>"at least 50 % of these agglomerations are not applying tertiary treatment <b>or do not meet the requirement of Table 2.</b> on [OP please insert the date=day of entry into force of the Directive]; <b>and</b></p> | <p>There are a lot of municipalities, that have joined other agglomerations or together with other municipalities formed agglomerations which are over 2000 p.e. and these they fall under the scope of the Directive 91/271/EEC. These agglomerations should not be taken into account when we calculate the agglomerations between 1000-2000 p.e. If it is the case, Hungary can benefit from the conditions of the derogation. It can be an alternative, to clarify this issue in the recital (5).</p> |
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| New text proposal_Clusters1,3,5                                                                                                                    | [HU] proposal | [HU] comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |               |               |

## ARTICLE 25 - ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (34)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |               |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |

## ARTICLE 26 - COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [HU] proposal | [HU] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |               |
| 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.                                                                                                                        |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |               |
| <del>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.</del> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |               |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                            | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                               |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |
| <del>5</del> 3. Member States shall ensure that <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |               |               |

## ARTICLE 27 - EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (35)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [HU] proposal | [HU] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [HU] proposal | [HU] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| 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. |               |               |

## ARTICLE 28 - COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |               |               |
|                                                                                                                  |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |               |               |
| (36)                                                                                                             |               |               |
|                                                                                                                  |               |               |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |               |               |

| New text proposal_Clusters1,3,5                                                                     | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------|---------------|---------------|
| implementation of the directive on urban wastewater treatment.                                      |               |               |
|                                                                                                     |               |               |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |               |               |

## ARTICLE 29 - PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</p> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p>(b) <del>the intentional or negligent character of the violation</del>;</p> <p><b>(c) (b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement</b>;</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |

## ARTICLE 30 - EVALUATION

| New text proposal_Clusters1,3,5                                                           | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
|                                                                                           |               |               |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |               |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |               |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |

## ARTICLE 31 - REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [HU] proposal | [HU] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |               |               |
|                                                                                                                                                                                                                                        |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |               |               |
|                                                                                                                                                                                                                                        |               |               |
| 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. |               |               |

## ARTICLE 33 - TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [HU] proposal | [HU] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |               |               |
|                                                                                                                                                                                                                     |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |               |               |
| (42); (43)                                                                                                                                                                                                          |               |               |
|                                                                                                                                                                                                                     |               |               |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [HU] proposal | [HU] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |

## ARTICLE 34 - ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [HU] proposal | [HU] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |               |               |
|                                                                                                                                                    |               |               |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |               |               |
|                                                                                                                                                    |               |               |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |               |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [HU] proposal | [HU] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |               |               |

## ARTICLE 35 - ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [HU] proposal | [HU] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |               |               |
|                                                                                                                                                                                                   |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |               |               |
|                                                                                                                                                                                                   |               |               |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |               |               |

## ANNEX I 4- REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [HU] proposal | [HU] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V</b>.</li> </ul> |               |               |

## B. DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [HU] proposal                                                                                                                                                                                                           | [HU] comments                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                         |                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                         |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                         |                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                         |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     | Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to <del>receiving waters</del> .receivers. | Discharges may occur in different receiver, e.g. on soil. Correction is required in accordance with Article 6 1. and 2. |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                         |
| 2. Discharges from urban wastewater treatment plants <del>serving agglomerations referred to in</del> <b>subject to treatment in accordance with</b> Articles 6, 7 and 8 shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                                                                                                                                                                                                                         |                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                         |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in Article 8 <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                                                                                                                                                                                                                         |                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                         |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and included in the list referred to in Article 8(24) shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> .                                                                   |                                                                                                                                                                                                                         |                                                                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                       |                        |                                                            |                                             | [HU] proposal                                                                                                                                                      | [HU] comments                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to permanently monitor and prevent all unintentional <b>such</b> biomedica <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> . |                        |                                                            |                                             |                                                                                                                                                                    |                                                                                                                         |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                        |                        |                                                            |                                             |                                                                                                                                                                    |                                                                                                                         |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                |                        |                                                            |                                             | . The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on <del>receiving waters</del> <b>receivers</b> . | Discharges may occur in different receiver, e.g. on soil. Correction is required in accordance with Article 6 1. and 2. |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                       |                        |                                                            |                                             |                                                                                                                                                                    |                                                                                                                         |
| Parameters                                                                                                                                                                                                                                                                                                            | Concentration          | Minimum percentage of reduction (see Note 4) <sup>21</sup> | Reference method of measurement             |                                                                                                                                                                    |                                                                                                                         |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample. |                                                                                                                                                                    |                                                                                                                         |

<sup>21</sup> ~~Reduction in relation to the load of the influent.~~

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                           | [HU] proposal     | [HU] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                       | <div>PUBLIC</div> |               |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                        |                   |               |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                   |                   |               |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | – Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing<br><br>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing |                   |               |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                           |                   |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [HU] proposal                                             | [HU] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|---------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> | Table 4: Requirement for samples                          |               | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [HU] proposal | [HU] comments |
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| 172-187                         | 14 | PUBLIC        |               |
| 188-203                         | 15 |               |               |
| 204-219                         | 16 |               |               |
| 220-235                         | 17 |               |               |
| 236-251                         | 18 |               |               |
| 252-268                         | 19 |               |               |
| 269-284                         | 20 |               |               |
| 285-300                         | 21 |               |               |
| 301-317                         | 22 |               |               |
| 318-334                         | 23 |               |               |
| 335-350                         | 24 |               |               |
| 351-365                         | 25 |               |               |

C. **PRIOR REGULATIONS AND/OR** SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [HU] proposal | [HU] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |
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| <p>1. The <del>prior general binding rules</del> <b><u>prior regulations and/or</u></b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b><u>applicables according to this Directive</u></b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |               |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [HU] proposal | [HU] comments |
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| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <u>good ecological status or potential or good chemical</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p>2. <del>The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that these conditions remain fulfilled.</del></p> |               |               |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [HU] proposal | [HU] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |               |               |
|                                                                                                                                                                             |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |               |               |
| (12)                                                                                                                                                                        |               |               |
|                                                                                                                                                                             |               |               |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                | [HU] proposal | [HU] comments |
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| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                    |                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                |               |               |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p> |                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                |               |               |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p>                                                                                                                                                                                                                                                                        |                                                                                |               |               |
| – 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                         | One sample per month ( <b>see Note 1</b> )                                     |               |               |
| – 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                     | Two samples per month<br>For micropollutants, one sample per month             |               |               |
| – 50 000 p.e. <b>or above</b><br>to 99 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                              | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                | [HU] proposal | [HU] comments |
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| <div>— 100.000 p.e. or over:</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <div>One <del>Two</del> samples per day <del>week</del><br/><br/>For micropollutants, two <del>one</del> sample per week</div> | <div></div>   |               |
| <div>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                |               |               |
| <div>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:<br/><br/>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;<br/><br/>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;<br/><br/>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;<br/><br/>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</div> |                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                       | [HU] proposal | [HU] comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <b>flow conditions</b> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |               |               |
|                                                                                                                                                                                                                                                                       |               |               |
| 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.                                             |               |               |

#### ANNEX 4 IV - INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [HU] proposal | [HU] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |               |               |
|                                                                                                                                                                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |               |               |
|                                                                                                                                                                                                                                    |               |               |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                           | [HU] proposal | [HU] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |               |               |

## ANNEX 5 V- CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [HU] proposal | [HU] comments                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                                                                                                              |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                                                                                                              |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br><br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |               | Please delete the word polluted from the title and from Point and 2 of the Annex in accordance to our proposal in Article 5. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [HU] proposal | [HU] comments                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                                                                                                                                                                                                       |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1%</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated discharges of urban runoff through separate sewers collection networks,</del> unless it can be demonstrated that those discharges do not cause adverse impacts on the water quality <b>requirements of other Union legislation of receiving waters;</b></p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |               | <p>Please delete the requirement to reduce macroplastics, as there is currently no scientific background and no practical experience to implement this for stormwater overflows and urban runoff.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [HU] proposal | [HU] comments                                                                      |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               | We support the option 2 proposal of BE about the new Point 3 about the monitoring. |
| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                                                                                    |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |               |                                                                                    |

## MALTA

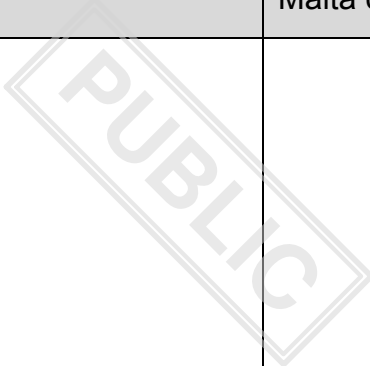
### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Malta proposal                                                                                                                                                                                                                                                                                                                                                 | Malta comments                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                     |
| <p>(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. <u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> 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 Council<sup>1</sup>.</p> | <p><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></p> | <p>MT suggests the deletion of the term urban runoff in this definition noting that urban runoff should not be considered as a constituent of urban wastewater.</p> |



<sup>1</sup> 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).

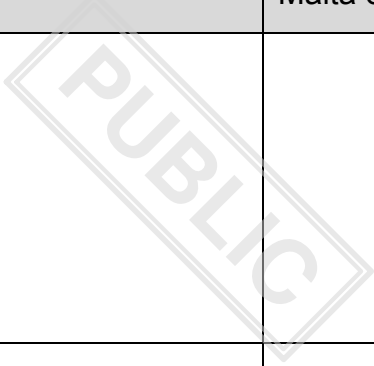
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Malta proposal                                                                      | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------|
| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> When delineating their agglomerations, Member States should take into account the <u>indicative</u> reference threshold of <u>10 to 25</u> p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated. Where <del>centralised</del> <u>collecting</u> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                |
| <p>(6) <del>Exceptionally, where</del> <u>Where</u> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <u>would not be technically feasible</u>, or <u>would</u> involve excessive costs, Member States should be allowed to use individual systems to <u>collect and</u> treat urban wastewater, as long as they ensure the same level of <u>protection of the environment</u> <del>treatment as secondary and tertiary treatment</del>. 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. <u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and</u></p> |                                                                                     |                |

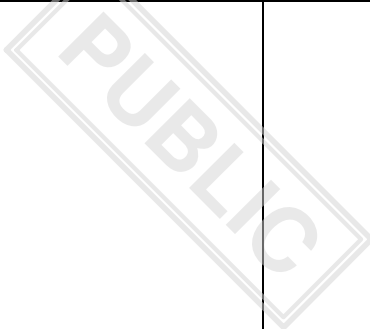
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Malta proposal | Malta comments                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></p> |                | <p>MT reiterates that the scope of this Directive is that of addressing Urban Wastewater and not Urban Runoff – and therefore any reference to Urban Runoff goes beyond the scope of this Directive. The scope of this Directive should be limited, as per the provisions of Article 2(1) to address that part of urban runoff which enters combined sewerage systems and becomes an integral part of Urban Wastewater.</p> |
| <p><u>(8 bis)</u> 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. <u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into ‘less sensitive areas’ in coastal areas where ‘appropriate treatment’ is applied as defined in Council</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                                                                                                                                                                                                                                                                                                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Malta proposal | Malta comments |
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| <p><b><u>Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <u>usually</u> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b>low concentrations of micrograms per litre or below</b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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</p> |                |                |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Malta proposal                                                                      | Malta comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account.</u></p> |                                                                                     |                |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Malta proposal                                                                      | Malta comments |
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| <p><b><u>A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u></b> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> 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</p> |  |                |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).

<sup>7</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Malta proposal | Malta comments |
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| <p>Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                |                |

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Malta proposal | Malta comments |
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| reviewing the authorisations provided to relevant, connected urban wastewater treatment plants.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council<sup>9</sup>.</p> |                |                |
| <p>(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.<br/> <b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                |

<sup>9</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Malta proposal | Malta comments |
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| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                |                |
| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                            | Malta proposal | Malta comments |
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| resistance and microplastics 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 Council <sup>10</sup> .                                                     |                |                |
| (39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte. |                |                |
| <b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity.</b>                                                                   |                |                |
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<sup>10</sup> 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).

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Malta proposal | Malta comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <u>to sustainable levels</u> 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. |                |                |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                              | Malta proposal | Malta comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i> |                |                |
|                                                                              |                |                |
| For the purpose of this Directive, the following definitions apply:          |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Malta proposal                                                                                                                             | Malta comments                                                                                                                                                                                                                           |
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| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them</b> ;                                                                                                                                                                                                                                                                                                                 |                                                                                                                                            |                                                                                                                                                                                                                                          |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                            |                                                                                                                                                                                                                                          |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged into collecting systems from premises used for either the following:<br><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution</del> ;<br>(c) <del>or industrial or economical</del> activities;<br><br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                                                                                                                                            |                                                                                                                                                                                                                                          |
| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above)</del> for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to <b>a one or more</b> final discharge points. <b><u>into receiving waters</u></b> ;                                                                 |                                                                                                                                            |                                                                                                                                                                                                                                          |
| (5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                                                                                                      | Malta's proposal refers:<br><br>'urban run-off' means <b>runoff generated from roofs and other hard standing areas within urban areas.</b> | The proposed definition of urban run-off is incorrect and potentially goes beyond the remit of this Directive. Urban runoff includes rainwater runoff in streets and therefore cannot be constrained to that portion of run-off which is |

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|  |  | <p>collected by combined or separate sewers. It is recommended that:</p> <ul style="list-style-type: none"> <li>• the definition of “urban runoff” just defines urban runoff as the “runoff generated from roofs and other hard standing areas within urban areas”; and</li> <li>• the classification of urban runoff as part of the wastewater stream is covered by Article 2(1) which refers to that portion of urban runoff which ends up in the sewer system (independent of this being combined or separate) and classifies it as “urban wastewater”. It is only the “urban runoff” which flows to combined sewer systems which falls within the competence of this Directive – given that this Directive addresses “urban wastewater” – as defined under Article 2(1)</li> </ul> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                 | Malta proposal                                                                                                                                                                                                                       | Malta comments                                                                                                                                                                                                                                                              |
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| (6) ' <del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                             |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                             |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <b>including urban runoff</b> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                                  | Malta's proposal refers:<br><br>'Combined sewer' means <b>a conduit designed to collect and conduct urban waste water that is domestic wastewater or domestic wastewater mixed with non-domestic wastewater and/or urban runoff.</b> | Article 2(1) considers urban wastewater as including urban runoff. Hence, under this definition reference to urban wastewater should be sufficient. However, Malta's proposal reflects the fact that a combined sewer serves also urban runoff mixed with urban wastewater. |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or</b> either of the following:<br><br>(a) <del>domestic urban wastewater not including urban runoff</del> ;<br><br>(b) <del>non-domestic wastewater</del> <b>non-domestic wastewater</b> ;<br><br>(c) <del>a mixture of domestic and non-domestic wastewater</del> ;<br><br>(d) <del>rainwater from agglomerations</del> ; | Malta's proposal refers:<br><br>'separate sewer' means <b>a conduit that separately collects urban wastewater (domestic wastewater or domestic wastewater mixed with non-domestic wastewater) from urban runoff.</b>                 | A conduit conducting urban runoff should be excluded from the Directive's scope.                                                                                                                                                                                            |
| (10) ' <b>1</b> population equivalent' or ' <b>(1 p.e.)</b> ' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day</del> <b>per day</b> ;                                                                                                                |                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                             |

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| <p>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</p> |  |  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Malta proposal | Malta comments |
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| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or <del>another process which reduces removes most of biodegradable organic matter in from</del> <b>another process which <u>reduces</u> <u>removes most of</u> biodegradable organic matter <u>in from</u></b> urban wastewater;                                                                                                                                                                                                  |                |                |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of by a process which removes</del> <b><u>reduces</u> <u>removes most of</u></b> nitrogen and/or phosphorus from <del>the</del> urban wastewaters;                                                                                                                                                                                                                                                                                                                       |                |                |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b><u>reduces</u></b> a broad spectrum of micropollutants <del>in from the</del> <b><u>from</u></b> urban wastewaters;                                                                                                                                                                                                                                                                                                                                                        |                |                |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste organic residue and inorganic sludge residue</del> <b><u>organic residue and inorganic sludge residue</u></b> resulting from the treatment of urban wastewater <del>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</del> <b><u>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the <u>first</u> pre-treatment step);</u></b> |                |                |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                                                                                                                                                                                       |                |                |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | Malta proposal | Malta comments                                                                                                                                                                                                                                                                                                                                               |
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| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                |                                                                                                                                                                                                                                                                                                                                                              |
| (17) 'dilution ratio' means the ratio <del>of between</del> the <b>last five years average volume</b> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the</del> annual <b>discharge</b> volume of urban wastewater <b>into surface waters; discharged from a treatment plant;</b>                                                                           |                |                                                                                                                                                                                                                                                                                                                                                              |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                | Definition (18) - 'producer' does not seem to be aligned with the following definition in Regulation 1223/2009 on cosmetics:<br><ul style="list-style-type: none"> <li>• 'importer' means any natural or legal person established within the Community, who places a cosmetic product from a third country <b><u>on the Community market;</u></b></li> </ul> |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                                    |                |                                                                                                                                                                                                                                                                                                                                                              |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |                |                                                                                                                                                                                                                                                                                                                                                              |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                                                                                                                             |                |                                                                                                                                                                                                                                                                                                                                                              |

<sup>11</sup> 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).

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | Malta proposal | Malta comments                                                                                                                                                                                                                                                                                                |
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| (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; |                |                                                                                                                                                                                                                                                                                                               |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                |                                                                                                                                                                                                                                                                                                               |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                | Definition (24) - 'placing on the market' does not seem to be aligned with the following definition in Regulation 1223/2009 on cosmetics:<br><ul style="list-style-type: none"> <li>'placing on the market' means the first making available of a cosmetic product <b>on the Community market</b>;</li> </ul> |
| (25) ' <b>load</b> ' means the amount of <b>organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time</b> (usually kilogram per day or year).                                                  |                |                                                                                                                                                                                                                                                                                                               |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                |                |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                   |                |                |
| (4); (5); (6)                                                                                                                                                  |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Malta proposal | Malta comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of domestic urban wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                                        |                |                |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</del></p> <p><del>a) they are provided with collecting systems;</del></p> <p><del>b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                |                |
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p>                                                                                                                       |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                |

| New text proposal_Clusters1,3,5                                             | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------|----------------|----------------|
| 4 3. Collecting systems shall fulfil the requirements of Part A of Annex I. |                |                |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |                |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable, treatment</b> of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above.</b></p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><u><b>This requirement will apply to existing individual systems six years after 2033.</b></u></p>                                                                                                                                                              |                |                |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, <del>where individual systems are used</del> are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                                                                                                                                      |                |                |
| <p><b>34.</b> The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 27 to supplement this Directive by <b>that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by [24 months from the entry into force of this Directive].</b></p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                |                |
| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>124 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | Malta proposal | Malta comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                | <p>Malta reiterates that the scope of this Directive is that of addressing Urban Wastewater and not Urban Runoff – and therefore any reference to Urban Runoff goes beyond the scope of this Directive. The scope of this Directive should be limited, as per the provisions of Article 2(1) to address that part of urban runoff which enters combined sewerage systems and becomes an integral part of Urban Wastewater. Hence any reference to Urban Runoff – i.e. that portion of rainwater runoff flowing in the streets and/or in runoff management infrastructure should not be included in this Directive. There are other European Legislation pertinent to the management of Urban Runoff such as the Floods Directive and the Environmental Quality Standards Directive. Hence title should read: “Integrated Urban Wastewater Management Plans”.</p> <p>In line with the comments put forward by MT on related definitions in Article 2, Article 5 should focus on sewer overflow rather than urban run-off. Management of urban run-off goes beyond the scope of this directive.</p> |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |                |                |
|                                                                                                                                                                                                                                 |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                |                |
| (7); (8)                                                                                                                                                                                                                        |                |                |
|                                                                                                                                                                                                                                 |                |                |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area of</u></b> agglomerations of 100 000 p.e. and above. |                |                |
|                                                                                                                                                                                                                                 |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Malta proposal                                                                                                                                                                                                                                                                          | Malta comments                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025</del><b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>1%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>Malta's proposal refers:</p> <p><del>(b) sewer storm water overflow represents more than 1% 3% of the annual collected urban wastewater load of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I, calculated in dry weather flow conditions;</del></p> | <p>With reference to Article 2(b) Malta calls for a risk-based approach rather than the setting of a specific target with respect to representation of sewer overflow from the urban wastewater load. Any potential deterioration as a result of sewer overflow is considered to be adequately addressed through 2(a) and 2(c). Malta thus calls for the deletion of the quantitative target in 2(b).</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | Malta proposal | Malta comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 |                |                |
|                                                                                                                                                                                                                          |                |                |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                |                |
|                                                                                                                                                                                                                          |                |                |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                |                |
|                                                                                                                                                                                                                          |                |                |

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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Malta proposal | Malta comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive].</b></p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <del>six</del> 5 years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------|----------------|----------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                |                |
| <p>(11) 'secondary treatment'</p>                                                         |                |                |

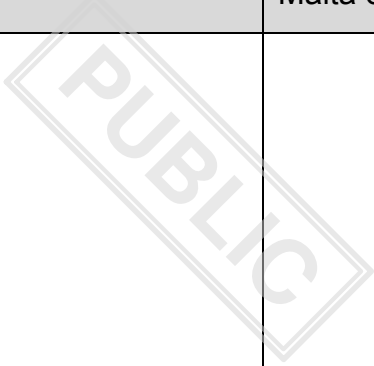
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Malta proposal | Malta comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |                |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> <del>urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</del></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For</del> <b>For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas</b> <del>waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on {please insert the date = date if entry into force of this directive}; the obligations set out in the first paragraph shall not apply until 31 December 2030.</del></p> <p><del>(b) For</del> <b>For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the on {please insert the date = date if entry into force of this Directive} and fifteen years in the case of Madeira after the entry into force of this Directive.</b></p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> urban waste water entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</b> <del>accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |                |                |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                                   |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |

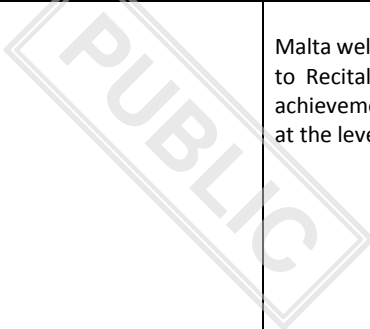
| New text proposal_Clusters1,3,5                                                                                                                                                                                  | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| 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. |                |                |
|                                                                                                                                                                                                                  |                |                |

# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | Malta proposal | Malta comments                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                | The achievement of 100% energy neutrality will be difficult noting the stricter and additional treatment requirements associated with higher energy consumption. MT calls for the establishment of more realistic targets for energy neutrality. |
|                                                                                    |                |                                                                                                                                                                                                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                |                                                                                                                                                                                                                                                  |
| (16)                                                                               |                |                                                                                                                                                                                                                                                  |
|                                                                                    |                |                                                                                                                                                                                                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Malta proposal                                                                      | Malta comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Malta proposal                                                                      | Malta comments                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) 50 <del>20</del> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) 75 <del>60</del>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040.;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> |  | <p>Malta welcomes the rephrasing of Art 11(2) and further addition to Recital 16, whereby it is clearer that targets refer to the achievement of energy neutrality at a national level, rather than at the level of each individual treatment plants.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                |                |
|                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                |                |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                |                |
|                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                |                |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                |                |
| (3) 'non-domestic wastewater'                                                      |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Malta proposal | Malta comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |                |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |
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| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p>Those <del>general binding rules</del> <u>prior</u> regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Malta proposal | Malta comments |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <del>general binding rules</del> <b>regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |

15 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Malta proposal | Malta comments |
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| <p>3. The <del>general binding rules regulations and</del> specific authorisations referred to in paragraph 1 <del>of this Article</del> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                            |                |                |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><del>The general binding rules regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</del></p> <p><del>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                |                |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------|----------------|----------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |                |
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| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part B</b> of Annex I.                                                                                                                                                                                                                                                                      |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                |                |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                |                |
| (21) 'antimicrobial resistance'                                                    |                |                |
|                                                                                    |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                |                |
| (22); (23)                                                                         |                |                |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>(c) influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>(e) contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of other <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b>at least in the inlet of</b> urban wastewater <b>treatment plants</b>, such as those in the following list:</p> <p>(i) <b>SARS-CoV-2 virus and its variants of interest;</b></p> <p>(ii) <b>poliovirus;</b></p> <p>(iii) <b>influenza virus;</b></p> <p>(iv) <b>emerging pathogens;</b></p> <p>(v) <del>contaminants of emerging concern;</del></p> <p>(vi) <b>(v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></p> <p>(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(a), <del>taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> | <p>Malta's proposal refers:</p> <p>(a) the identification of other <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b>at least in the inlet of</b> urban wastewater <b>treatment plants</b>, such as those in the following list:</p> <p>(i) <b>SARS-CoV-2 virus and its variants of interest;</b></p> <p>(ii) <b>poliovirus;</b></p> <p>(iii) <b>influenza virus-Antimicrobial Resistance (AMR);</b></p> <p>(iv) <b>emerging pathogens;</b></p> <p>(v) <del>contaminants of emerging concern;</del></p> <p>(vi) <b>(v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></p> | <p>With reference to Article 17 Para (1)(a) (iii), MT suggests change of influenza virus to AMR.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Malta proposal | Malta comments |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |                |
| <p><del>32. 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 relevant public health parameters shall be monitored in urban wastewaters from a representative distribution at least 70 % of the national population. <u>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</u> 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 the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></del></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>+</del>.</p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |                |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(GOD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Malta proposal | Malta comments                                                                                                |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission <del>shall</del> <b>may shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> a uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                | With respect to Art 17(3) MT welcomes the change in deadline and reference to dates as per implementing acts. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                                                                                                               |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                                                                                                               |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | Malta proposal | Malta comments                                                                                                                                                                                                                                                    |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                | With respect to the recovery of nutrients, Malta asks for a sufficient degree of subsidiarity. Recovery of N and P should be made in relation to national and local valorisation options. Malta does not support minimum reuse and recycling rates for nutrients. |
| (14) 'sludge'                                                                             |                |                                                                                                                                                                                                                                                                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i> |  |  |
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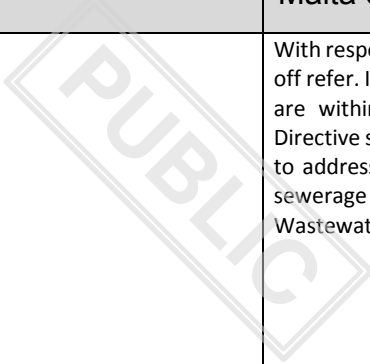
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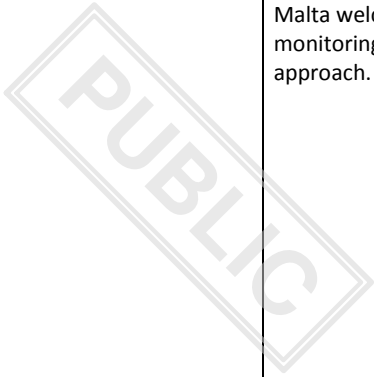
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Malta proposal | Malta comments |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |                |
| 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, <b>preparing for</b> reuse, <del>and</del> recycling <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                  |                |                |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in accordance with the procedure referred to in Article 27 <del>to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking</b> in order to take into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . <b>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                |                |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | Malta proposal | Malta comments                                                                                                                                                         |
|------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                | As a general comment on Article 21, Malta highlights the additional financial and administrative implications associated with the more ambitious monitoring processes. |
|                                                                                    |                |                                                                                                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Malta proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Malta comments                                                                                                            |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                           |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                           |
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| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</del></p> <p>(d) the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of <del>above 10 000 p.e. and above,</del> <u>by means of analysis, calculations or modelling where appropriate;</u></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> | <p>Malta's proposal refers:</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the</del> <b>average annual and average monthly</b> nutrient content of the fraction reused for agricultural irrigation and <b>how this has been integrated in the nutrient management frameworks required under Directive 91/676/EEC the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> | <p>Malta reiterates the suggested amendment to Article 21(1)(c) to reflect the suggested amendments to Article 15(2).</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Malta proposal                                                                      | Malta comments                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  | <p>With respect to Article 21(2) previous comments on urban runoff refer. It must be ensured that the monitoring requirements are within the scope of the directive. The scope of this Directive should be limited, as per the provisions of Article 2(1) to address that part of urban runoff which enters combined sewerage systems and becomes an integral part of Urban Wastewater.</p> |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture.</u></b></p> <p><del>4.</del> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6</del> <b>7</b> months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and <del>more</del> <b>above</b>;</p> |  | <p>Malta welcomes the addition made to 21(3) whereby monitoring of pollutants is to be carried out on a risk-based approach.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |                |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

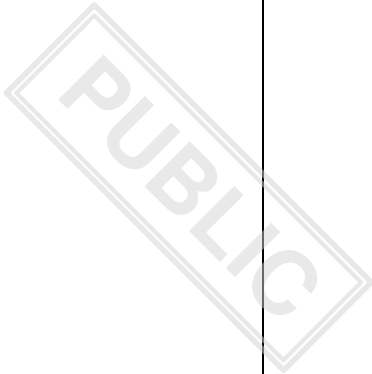
| New text proposal_Clusters1,3,5                                                           | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------|----------------|----------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                |                |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Malta proposal | Malta comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p><b>(a)</b> an assessment of the level of implementation of Articles 3 to 8;</p> <p><b>(b)</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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p><b>(c)</b> an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p><b>(d)</b> the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--|
| <p>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</p> <p>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</p> <p>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</p> <p>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</p> <p>(ii) the national implementation programme includes:</p> <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> <p>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if</p> |  |  |
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| New text proposal_Clusters1,3,5                                                                                                                    | Malta proposal | Malta comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                |                |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                |                |
|                                                                                    |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                |                |
| (34)                                                                               |                |                |
|                                                                                    |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |                |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------|----------------|----------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                |                |
|                                                                                           |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                |
| 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.                                                                                                                        |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                |
| <del>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.</del> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                            | Malta proposal | Malta comments |
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| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                               |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |
| <del>5</del> 3. Member States shall ensure that <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                |                |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                |                |
|                                                                                    |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                |                |
| (35)                                                                               |                |                |
|                                                                                    |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                |                |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                |                |
|                                                                                                                  |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                |                |
| (36)                                                                                                             |                |                |
|                                                                                                                  |                |                |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                |                |

| New text proposal_Clusters1,3,5                                                                     | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------------------------------|----------------|----------------|
| implementation of the directive on urban wastewater treatment.                                      |                |                |
|                                                                                                     |                |                |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                |                |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                |
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p>(b) <del>the intentional or negligent character of the violation</del>;</p> <p>(c) <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p>(c) <b>the repetitive or singular character of the infringement</b>;</p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------|----------------|----------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                |                |
|                                                                                           |                |                |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                |                |
|                                                                                                                                                                                                                                        |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                |                |
|                                                                                                                                                                                                                                        |                |                |
| 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. |                |                |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                |                |
|                                                                                                                                                                                                                     |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                |                |
| (42); (43)                                                                                                                                                                                                          |                |                |
|                                                                                                                                                                                                                     |                |                |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                |                |
|                                                                                                                                                    |                |                |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                |                |
|                                                                                                                                                    |                |                |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | Malta proposal | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                |                |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                |                |
|                                                                                                                                                                                                   |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                |                |
|                                                                                                                                                                                                   |                |                |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                |                |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                |                |



## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                     | Malta proposal | Malta comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                  |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                        |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                                |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                                          |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8 in accordance with those Articles</del> shall, in addition to the <del>requirements referred to in point 2,</del> meet the requirements <del>shown</del> in Table 2 of this Annex. |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                     |                |                |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                                         |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                       |                        |                                                            |                                             | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------|---------------------------------------------|----------------|----------------|
|                                                                                                                                                                                                                                                                                                                       |                        |                                                            |                                             |                |                |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to permanently monitor and prevent all unintentional <b>such</b> biomedica <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> . |                        |                                                            |                                             |                |                |
|                                                                                                                                                                                                                                                                                                                       |                        |                                                            |                                             |                |                |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                        |                        |                                                            |                                             |                |                |
|                                                                                                                                                                                                                                                                                                                       |                        |                                                            |                                             |                |                |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                |                        |                                                            |                                             |                |                |
|                                                                                                                                                                                                                                                                                                                       |                        |                                                            |                                             |                |                |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                       |                        |                                                            |                                             |                |                |
| Parameters                                                                                                                                                                                                                                                                                                            | Concentration          | Minimum percentage of reduction (see Note 4) <sup>21</sup> | Reference method of measurement             |                |                |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample. |                |                |

<sup>21</sup> Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | Malta proposal | Malta comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC         |                |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                |                |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                |                |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                |                |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Malta proposal                                            | Malta comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> | Table 4: Requirement for samples                          |                | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | Malta proposal | Malta comments |
|---------------------------------|----|----------------|----------------|
| 172-187                         | 14 | PUBLIC         |                |
| 188-203                         | 15 |                |                |
| 204-219                         | 16 |                |                |
| 220-235                         | 17 |                |                |
| 236-251                         | 18 |                |                |
| 252-268                         | 19 |                |                |
| 269-284                         | 20 |                |                |
| 285-300                         | 21 |                |                |
| 301-317                         | 22 |                |                |
| 318-334                         | 23 |                |                |
| 335-350                         | 24 |                |                |
| 351-365                         | 25 |                |                |

### C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Malta proposal | Malta comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <p><del>measures taken in accordance with Article 18 of that Directive;</del></p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                |                |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                |                |
|                                                                                                                                                                             |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                |                |
| (12)                                                                                                                                                                        |                |                |
|                                                                                                                                                                             |                |                |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                            | Malta proposal | Malta comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------|----------------|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                    |                                                                                            |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                            |                |                |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p> |                                                                                            |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                            |                |                |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p>                                                                                                                                                                                                                                                                        |                                                                                            |                |                |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                         | One sample per month ( <b>see Note 1</b> )                                                 |                |                |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                     | Two samples per month<br>For micropollutants, one sample per month                         |                |                |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                   | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |                |                |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                   | Malta proposal    | Malta comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|-------------------|----------------|
| — 100.000 p.e. or over:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | One <del>Two</del> samples per day <del>week</del><br><br>For micropollutants, two <del>one</del> sample per week | <div>PUBLIC</div> |                |
| <b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                   |                   |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                   |                   |                |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |                                                                                                                   |                   |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                   |                   |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                       | Malta proposal | Malta comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <b>flow conditions</b> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                |                |
|                                                                                                                                                                                                                                                                       |                |                |
| 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.                                             |                |                |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | Malta proposal | Malta comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                |                |
|                                                                                                                                                                                                                                    |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                |                |
|                                                                                                                                                                                                                                    |                |                |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                           | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                |                |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Malta proposal | Malta comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |                |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Malta proposal | Malta comments |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of</b> <del>receiving waters</del>;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                |                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Malta proposal | Malta comments |
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| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |                |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                |                |

## **MALTA**

### **Written additional comments on the Proposal for a Directive of the EP and of the Council concerning urban wastewater treatment (recast)**

*Following the Working Party on the Environment of 4 September 2023.*

#### **Article 5 – Integrated urban wastewater and polluted urban runoff management plans**

##### **Comments:**

MT notes the need for this Article to be better aligned with the Water Framework Directive (Dir 2000/60/EC). Annex VI of the WFD identifies the Urban Wastewater Treatment Directive (UWWTD) under Part A (Basic Measures) and hence requires measures required under this Directive to be included in River Basin Management Plans (RBMPs). It is to our understanding that these requirements will remain for the recast of the UWWTD.

Furthermore, Annex VII of the WFD under para 7. in outlining the contents of the RBMP's "Programme of Measures" requires under para 7.1. a summary of the measures required to implement Community legislation for the protection of water, thereby including measures undertaken as part of the implementation of the UWWTD. In our opinion, the WFD already includes provisions of the reporting of the contents of the Integrated Urban Wastewater Management Plan, where the Plan and its measures should therefore be included under the RBMP's POM.

In addition, para 7.5 of WFD Annex VII requires a summary of the controls adopted for point source discharges and other activities with an impact on the status of water in accordance with the provisions of Article 11(3)(g) and 11(3)(i). In our opinion this requirement includes the discharge of stormwater runoff to receiving waters through separate systems to those considered under the UWWTD.

Therefore, in order to better align with the already existing provisions under the WFD, and ensure that this Directive supports the WFD, the scope of this article should be limited to sewer overflow and polluted stormwater runoff whenever this flows in the sewer network to the UWWTPs.

Additionally, given the overlap with the River Basin Management Cycle under the WFD, any reporting under this Directive should be fully aligned to the timelines of reporting and implementation of the WFD's RBMPs.

##### **Additional Comments:**

MT recommends that:

- (i) A definition of "polluted urban runoff" be included in the Directive;
- (ii) The term "drainage area of agglomerations" is clearly defined since the drainage area served by a system of sewers can be different from the drainage area of stormwater runoff systems

(particularly where these have been constructed for flood protection purposes); and therefore the requirement could be referring to two (or more) separate and distinct areas.

**Suggested textual changes below:**

1. By December 2035, Member States shall ensure that an integrated urban wastewater management plan is established for each drainage area of agglomerations of 100,000p.e. and above.

2. By December 2030, Member States shall establish a list of agglomerations of between 10,000p.e. and 100,000p.e. where considering historic data, modelling and state-of-the-art climate projections as well as the pressures and impacts assessment undertaken under the River Basin Management Plan, one or more of the following conditions apply:

(a) sewer overflow or polluted discharges of urban runoff poses a risk to the environment and human health;

(b) sewer overflow represents more than 3% of the annual collected urban wastewater load of the parameters referred to in Tables 1 and, where relevant Table 2 of Annex I, calculated under dry weather flow;

(c) sewer overflow or polluted discharges of urban runoff prevents the fulfilment of any of the following:

(i) the requirements established under Article 5 of Directive (EU) 2020/2184

(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council (Bathing Water Directive)

(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council (EQS Directive)

(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC (Water Framework Directive)

(v) the requirements established under Article 3 of Directive 2006/118/EC (Groundwater Directive)

Member States shall review the list referred to in the first subparagraph every six years after its establishment and update it where necessary.

3. By 31 December 2040, Member States shall ensure that an integrated urban wastewater management plan is established for each drainage area of agglomerations referred to in paragraph

4. A summary of the Integrated urban wastewater management plans shall be ~~made available~~ included in the River Basin Management Plans. Further detailed reporting can be requested by and reported to the Commission ~~on request~~.

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

6. The Commission is empowered to adopt implementing acts to:

(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;

- (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;
- (c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). The Commission will provide the methodologies and format by [24 months from the entry into force of this Directive].

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

## **Annex V – Content of the Integrated Urban Wastewater and Polluted Urban Runoff Management Plans**

### **Comments:**

MT recommends that the term “drainage area of agglomerations” is clearly defined since the drainage area served by a system of sewers can be different from the drainage area of stormwater runoff systems (particularly where these have been constructed for flood protection purposes); and therefore, the requirement could be referring to two (or more) separate and distinct areas. Measures taken

MT also reiterates its comment under Article 5 namely that in order to better align with the already existing provisions under the WFD and ensure that this Directive supports the WFD, the scope of this article should be limited to sewer overflow and polluted stormwater runoff whenever this flows in the sewer network to the UWWTPs. Point discharges of polluted urban runoff to receiving waters are already sufficiently addressed in MT’s opinion in the WFD and its daughter Directives, and reporting on this is to be provided in the RBMPs as required under WFD Annex VII.

Furthermore, MT notes that flows of urban runoff are assessed under the EU Floods Directive (2007/60/EC) which as part of the development process of the Flood Risk Management Plans (FRMP) requires the development of Flood Risk and Hazard Maps. Thereby it is recommended that analysis of urban runoff flows under this Directive give due consideration (and align with) the assessments undertaken under the Floods Directive.

### **Suggested textual changes below:**

1. An analysis of the initial situation of the drainage area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:

~~(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage and conducting capacities of that network and the existing urban wastewater treatment capacities in case of rainfall.~~

(a) a detailed description of the network of collecting systems outlining:

- (i) the combined or separate sewer network associated with the UWWTPs, and



- (ii) separate structures for the collection and conveyance of urban runoff.

In the case of (i), urban runoff storage and conducting capacities of that network and the existing urban wastewater treatment capacities in case of rainfall should be assessed.

~~(b) a dynamic analysis of the flows of urban runoff, polluted urban runoff and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants released in receiving waters in case of rainfall;~~

(b) a dynamic analysis of the flows of urban wastewaters in case of rainfall based on the use of hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants released in receiving waters in case of rainfall.

Additionally, giving consideration to the Flood Risk and Hazard Maps and other related modelling under the Floods Directive, assess the potential impacts of stormwater runoff management systems developed for flood relief purposes on the urban wastewater conveyance network.

2. Objectives for the reduction of pollution from sewer overflows and polluted discharges of urban runoff whenever these lead to UWWTPs, including the following:

(a) an indicative objective that sewer overflow represents only a small percentage, preferably below 2% of the annual collected urban wastewater load calculated in dry weather conditions:

This objective should be met by:

(i) 31 December 2040 for all agglomerations of 100,000p.e. and above;

(ii) 31 December 2045 for agglomerations of 10,000p.e. and above referred to in Article 5(2).

(b) the progressive reduction of pollution load from discharges of urban runoff through separate sewers whenever these lead to UWWTPs, unless it can be demonstrated that those discharges do not cause adverse impacts on the water quality requirements of other Union legislation

(c) the progressive reduction of microplastics in sewer overflow and discharges of urban runoff.

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 implementation of the integrated plan.

4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:

(a) firstly, ensure that River Basin Management Plans include preventive measures aiming at avoiding the entry of unpolluted rainwaters into collecting systems, including measures promoting natural water retention measures or rainwater harvesting, and measures increasing green spaces or limiting impermeable surfaces in the agglomerations;

(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rainwaters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;

(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 infrastructures such as vegetated ditches, treatment wetlands and storage ponds designed in order to support biodiversity. Where relevant, water reuse shall be considered in the context of the development of the integrated wastewater management plans referred to in Article 5.

## **Article 11 – Energy Neutrality of Urban Wastewater Treatment Plants**

### **Comments:**

MT recommends that Article 11 outlines more clearly that the energy neutrality assessment will not be carried out at the level of each single UWWTP, but on the basis of an agglomeration of plants either managed by the same operator or at the national level.

Furthermore, MT notes the importance of this Article in promoting investment in Renewable Energy Sources and therefore highlights the need for operators being encouraged to invest in renewable energy installations – on site or off site. In as much, MT proposes that the renewable energy accounted for assessing energy neutrality includes RES generated through the wastewater treatment process, RES generated from wastewater treatment resources onsite and offsite, energy generated from RES installations developed by the operator onsite and offsite, and RES bought by the operator from external sources. Only the last category, where RES is bought from external sources will be limited to 25% of the total energy required.

This would also align the text of Article 11 to the intention of Recital 16. Furthermore, the proposed changes have the objective of promoting investments in RES, whilst giving flexibility to the UWWTP operator to invest in the more cost-effective RES solutions.

### **Suggested textual changes below:**

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 measures to reduce the use of energy and enhance the production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, whilst reducing greenhouse gas emissions. The first audits shall be carried out:

(a) by 31 December 2030 for urban wastewater treatment plants treating a load of 100,000p.e. and above and the collecting systems connected to them;

(b) by 31 December 2035 for urban wastewater treatment plants treating a load of between 10,000p.e. and 100,000p.e. and the collecting systems connected to them.

2. Member States shall ensure, that at the national level, urban wastewater treatment plants treating a load of 10,000p.e. and above produce energy from renewable sources as defined in Article 2(1) of Directive (EU) 2018/2001.

~~This energy will be produced from urban wastewater resources, on or off site. A maximum of 25% of energy may be produced or purchased from external renewable resources.~~

This energy will be produced from:

- (a) within the wastewater treatment process itself and within the footprint of the wastewater treatment plant,
- (b) from urban wastewater treatment resources off-site from the wastewater treatment plant,
- (c) from renewable resources developed by the wastewater treatment plant operator on-site or off-site,
- (d) from energy purchased by the wastewater treatment plant operator from external renewable sources.

The renewable energy sourced through (d) shall not exceed 25% of the total energy accounted for under this process.

Member States shall ensure that the total annual energy from renewable sources produced by urban wastewater treatment plants or purchased under paragraphs 1 and 2 is equivalent to at least:

- (a) 20% of the total annual energy used by such plants by 31 December 2030;
  - (b) 60% of the total annual energy used by such plants by 31 December 2035;
  - (c) 100% of the total annual energy used by such plants by 31 December 2040.
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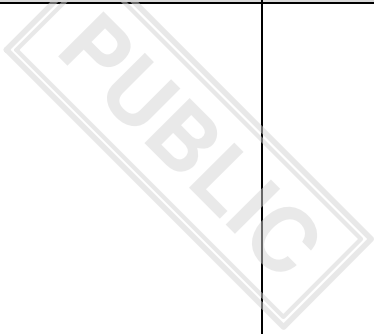
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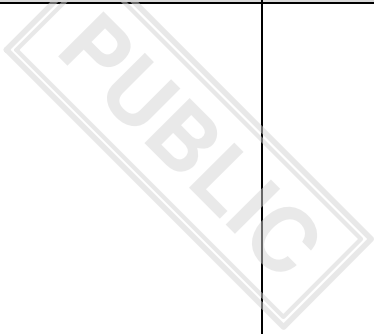
### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] comments                                                    |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                              |                                                                              |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b><u>reduction</u></b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> | <p><b><u>Urban wastewaters can be formed by domestic wastewater or different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b></p> | <p>The Netherlands wishes to align the recital more with the definition.</p> |

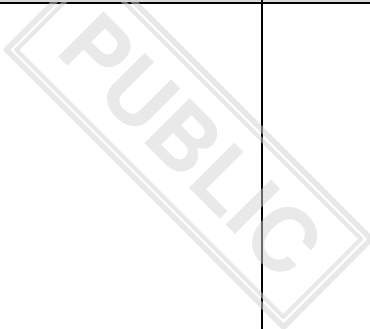
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
| (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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.                                                                                                                                                                                 |                           |                           |
| (6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del> . 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 |                           |                           |

<sup>1</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] comments                                                                                                                                                             |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                       |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> | <p>(7) During rainfall, storm water overflows and <b>polluted</b> urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> | <p>The risks for the environment and human health are for urban runoff far less than by storm storm water overflows. In the Netherlands most of the urban runoff is not polluted.</p> |

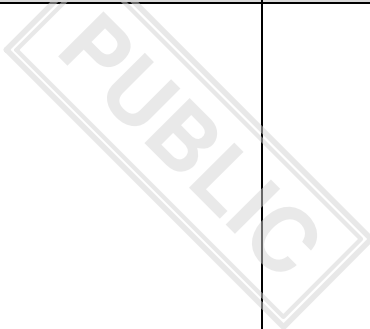
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                                   |  |                           |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                                                                                     |                           |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |                           |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                                                                                     |                           |

<sup>3</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> |  |                           |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).

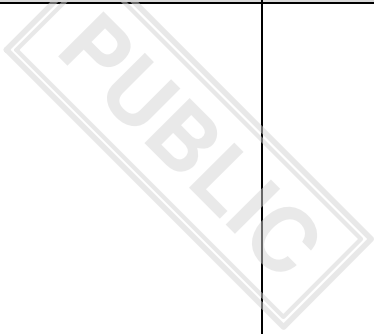
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] comments                                                                                                                                                                                            |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                      |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> | <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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 <u>general rules or prior</u></p> | <p>The Netherlands proposes to align the recital with article 14. Last part of the last sentence is unclear. The authorisations are issued for the discharge of non-domestic wastewater and not for the UWWTP's.</p> |

<sup>7</sup> 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).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         | <p><del>regulations and/or</del> 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 <del>or the prior regulations are adopted</del> 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 <del>and/or regulations provided to relevant, connected urban wastewater treatment plants.</del></p> |                           |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] comments          |
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| <p>(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.<br/> <u><b>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</b></u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |
| <p>(29) <del>Additional</del> <b>Adequate</b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b>sewer</b> overflows and <b>polluted</b> urban runoff <b>discharges. Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> | <p>(29) <del>Additional</del> <b>Adequate</b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b>combined sewer</b> overflows and <b>polluted</b> urban runoff <b>discharges. Microplastics and relevant micropollutants should be monitored, where relevant, in combined sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> | <p>See comments at definition.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments |
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| <p>(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, <u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> | <p>(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, <u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of combined sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u> to measure antimicrobial resistance and microplastics 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 Council<sup>11</sup>.</p> |                           |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
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| regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity. |                           |                           |
|                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] comments                                                                                                                                                                                     |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                               |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                               |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <u>to sustainable levels</u> 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. | 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to sustainable levels</del> 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. | It is unclear what is meant by 'sustainable levels'. This addition requires a substantive explanation of 'sustainable levels' in this Directive. If this is not possible it is better to remove the addition. |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal                                                                                                                                                                                                                                             | [Insert MS name] comments                                                                                                                         |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                       |                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                       |                                                                                                                                                   |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                       |                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                       |                                                                                                                                                   |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either</del> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del>                                                                                                                                                                                                                                                                                                  | 'urban wastewater' means domestic wastewater <b>or,</b> <del>the mixture of domestic wastewater mixed with and either</del> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and-or</b> urban runoff, <b>or both of them;</b> | The addition 'or both of them' is the same as 'non-domestic wastewater <b>and</b> urban runoff'. The Netherlands propose to change 'and' in 'or'. |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                       |                                                                                                                                                   |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged into collecting systems from premises used for either the following:<br><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution;</del><br>(c) <del>or industrial or economical activities;</del><br><br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                                                                                                                                                                                                                                                                       |                                                                                                                                                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated ( <del>taking as a reference 10 p.e. per hectare or above</del> ) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <u>into receiving waters</u> ; | (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated ( <del>taking as a reference 10 p.e. per hectare or above</del> ) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <del>into receiving waters</del> <u>into receiving waters</u> ; | In the Netherlands, the definition of 'receiving waters' covers surface waters, such as lakes, rivers, canals but also watercourses or ditches that occasionally run dry. When omitting 'receiving waters', it is unclear whether it concerns discharges to surface water or/in the soil.                                                                                                                                                                                  |
| (5) 'urban runoff' means <b>precipitation rainwater</b> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| (6) ' <del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                                                                                         | (6) ' <u>combined sewer</u> <del>storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <del>separate or</del> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                                                                                                      | In normally functioning separate sewer systems, no overflows will occur. For this reason, the Netherlands proposes to remove 'separate or'.<br><br>And further for clarification purposes, NL proposes to add always the word 'combined' to 'sewer overflow' in this directive; also in relation to articles 5 and 21. The definition 'combined sewer overflow' is worldwide used for discharges of untreated urban wastewater from combined sewers into receiving waters. |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <u>including urban runoff</u> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                                                                                              | (8) 'combined sewer' means a <b>single system of</b> conduits <del>that that designed to</del> collects and conducts urban wastewater <u>including urban runoff</u> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                                                                                                                    | The Netherlands does not understand the explanation of the Presidency to include 'urban runoff' again. 'urban runoff' is part of the definition of 'urban wastewater' when combined with domestic wastewater or with domestic and non-domestic wastewater.<br><br>Further the Netherlands does not understand the addition 'single conduit' because combined sewer is also a collecting system i.e a system of conduits.                                                   |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p>(a) <del>domestic urban wastewater not including urban runoff;</del></p> <p>(b) <del>non-domestic wastewater</del> <b>non-domestic wastewater</b>;</p> <p>(c) <del>a mixture of domestic and non-domestic wastewater;</del></p> <p>(d) <del>rainwater from agglomerations;</del></p> | <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p>(a) <del>domestic urban wastewater not including urban runoff;</del></p> <p>(b) <del>non-domestic wastewater</del> <b>non-domestic wastewater</b>; <del>non-domestic wastewater</del></p> <p>(c) <del>a mixture of domestic and non-domestic wastewater;</del></p> <p>(d) <del>rainwater from agglomerations;</del></p> | <p>The Netherlands does not follow the explanation of the Presidency for deleting 'non-domestic wastewater'. A separate stream of non-domestic wastewater, <u>not mixed with domestic wastewater</u>, does not fall within the scope of the definition of urban wastewater (see also in this regard recital 2 which states that urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins).</p> <p>The Netherlands wishes to add again to the definition of separate sewer: non-domestic wastewater.</p> |
| <p>(10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del></p>                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</p>                                                                                   | <p>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical <del>and/or chemical</del> process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</p>                                                                                                           | <p>The Netherlands proposes to delete 'and/or chemical'. It is an old definition. Nowadays chemical primary treatment should not be used due to durability considerations. It can be used because it is part of the mentioned 'other processes'.</p>                                                                                                                                                                                                                                                                                                                                      |
| <p>(11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of</del> biodegradable organic matter <del>in from</del> urban wastewater;</p>                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>(12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> by a process which removes nitrogen and/or phosphorus from <del>the</del> urban wastewaters;</p>                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;                                                                                                                                                                                                          |                           |                           |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <b>organic residue and inorganic sludge-residue</b> resulting from the treatment of urban wastewater <b>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</b>                                                                             |                           |                           |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                           |                           |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                           |                           |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <b>and to the last five years average of the annual discharge</b> volume of urban wastewater <b>into surface waters;</b> <del>discharged from a treatment plant;</del>                                                                                  |                           |                           |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                     |                           |                           |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                 |                           |                           |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                   |                           |                           |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                           |                           |
| (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; |                           |                           |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                           |                           |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                           |                           |
| (25) <b>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                           |                           |                           |

## ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                           |                           |
|                                                                                                                                                                |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                   |                           |                           |
| (4); (5); (6)                                                                                                                                                  |                           |                           |
|                                                                                                                                                                |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4.</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:</p> <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems;</li> <li>(b) all their sources of domestic urban wastewater are connected to the collecting system.</li> </ul> | <p><u>Favoured option</u></p> <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4.</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:</p> <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems <u>for urban wastewater (in accordance with the current Directive);</u></li> <li>(b) all their sources of <del>domestic</del> domestic urban wastewater are connected to the collecting system.</li> </ul> <p><u>Second (less favored option):</u></p> <p><u>If urban wastewater is not deleted in paragraph 1(b) the Netherlands proposes to phrase this paragraph as follows:</u></p> <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4.</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:</p> <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems <u>for urban wastewater (in accordance with the current Directive);</u></li> <li>(b) <del>all their sources of domestic urban</del> wastewater <del>is</del>are connected to the collecting system.</li> </ul> <p><u>2. The obligation set out in paragraph shall 1(b), shall not apply to urban wastewater from premises used for the exercise of trade or industrial or economical activities and predominantly qualifies as non-domestic waste water.</u></p> | <p>The Netherlands is of the opinion that the directive does entail an obligation for the MS to connect mixed streams of domestic wastewater with non-domestic wastewater from industries. Hence, if premises have only a combined sewer with a mixture of domestic and non-domestic wastewater there is an obligation for the MS to connect these premises to the collecting system. This is according to the Netherlands an bigger obligation for the MS to connect premises to the collecting system.</p> <p>The Netherlands wishes to return to the words 'domestic' instead of 'urban'.</p> <p>If in article 3, paragraph 1(b), urban wastewater is not deleted The Netherlands wishes to rephrase paragraph 1 to make clear that there is no obligation for MS to connect all premises used for the exercise of trade or industrial or economic activities when the waste water contains mostly non-domestic wastewater and just a litte bit domestic wastewater.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of between 1000 and 2000 p.e.</del> comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del> <b>By 31 December 2033</b> Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of between 1000 and 2000 p.e.</del> comply with the following requirements of paragraph 1 <del>by 31 December 2033</del>:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <b>calculated</b> on the <del>basis of the</del> maximum average weekly load entering <del>the treatment plant generated in that agglomeration</del> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p>                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |
| <p>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, where individual systems are used are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>34. The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2)</b> for establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by {24 months from the entry into force of this Directive}.</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>f24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                           |                           |
| (7); (8)                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area</u> of agglomerations</b> of 100 000 p.e. and above. |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                         |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than 4% <del>3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>combined sewer storm water</del> overflow <del>or polluted discharges of urban runoff discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>combined sewer storm water</del> overflow represents more than 4% <del>13%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p>(c) <del>combined sewer storm water</del> overflow <del>or polluted discharges of urban runoff discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>15</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>16</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>17</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>- See the comments on definition 6 'sewer overflow' for adding the word 'combined'.</p> <p>- Deleting of 'or polluted discharges of urban runoff' and adding a new paragraph 3 according with the Belgium proposal (with a small adjustment to it).</p> <p>- The Netherlands supports the Commissions proposal of 1% limit, which is achievable in the Netherlands itself.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [Insert MS name] proposal                                                                                                                                                                                                                                                                   | [Insert MS name] comments                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                          | <u>3. By 31 December 2030, Member states shall identify relevant points in agglomerations of 10.000 p.e. and above where urban runoff is expected to be polluted in such a way that its discharge into receiving waters can be considered as a risk to the environment or human health.</u> | - Belgium proposal, with deadline added.                                                               |
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 | <del>43.</del> By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2                                                        |                                                                                                        |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                             |                                                                                                        |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    | <del>54.</del> Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                                                                           |                                                                                                        |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                             |                                                                                                        |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  | <del>65.</del> Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                                                                         | The obligation to meet the objective is regulated in Annex V. Why is this not formulated in article 5? |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                             |                                                                                                        |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>15</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>16</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>17</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive</b>.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(11) 'secondary treatment'</p>                                                         |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on</del> <del>[please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on</del> <del>[please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to <del>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           |                           |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 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. |                           |                           |
|                                                                                                                                                                                                                  |                           |                           |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (16)                                                                               |                           |                           |
|                                                                                    |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>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 <b>measures to reduce the use of energy</b> and or <b>enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |                           |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040-;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources <b>such as biogas production including other resources such as solar or wind energy</b>, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040-;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>The Netherlands wishes to include the possibility of renewable produced by the UWWTP, such as solar energy (in accordance with recital 16). The obligation to produce renewable energy is now limited to 'urban wastewater resources'.</p> <p>The Netherlands wishes therefore to amend the sentence 'This energy will be produced from urban wastewater resources, on or off-site' to 'This energy will be produced from urban wastewater resources such as biogas production including other resources such as solar or wind energy, on or off-site.'</p> <p>The Netherlands supports the 25% maximum.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |
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| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority or appropriate body.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority or appropriate body:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> | <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority or appropriate body.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> <b>prior</b> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority or appropriate body:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater <b>treatment plants</b> into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>2. Member States shall <b><u>ensure that competent authorities or appropriate bodies</u></b> take the appropriate measures, including a review of the <b><u>general binding rules regulations and/or</u></b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>18</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> | <p>2. Member States shall <b><u>ensure that competent authorities or appropriate bodies</u></b> take the appropriate measures, including a review of the <b><u>general binding rules prior regulations and/or</u></b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>19</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |

18 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

19 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 3. The <del>general binding rules regulations</del> and specific authorisations referred to in paragraph 1 of this Article shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.                                                                                                                                                                                                                                                                                                                                                                                         | 3. The <del>general binding rules</del> <u>prior regulations</u> and specific authorisations referred to in paragraph 1 of this Article shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.                                                                                                                                                                                                                                                                                                                                                                                  |                           |
| 4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <u>ten</u> years.<br><br>The <del>general binding rules</del> <u>regulations</u> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.<br><br>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that these conditions remain fulfilled.</del> | 4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <u>ten</u> years.<br><br>The <del>general binding rules</del> <u>prior regulations</u> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.<br><br>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that these conditions remain fulfilled.</del> |                           |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |

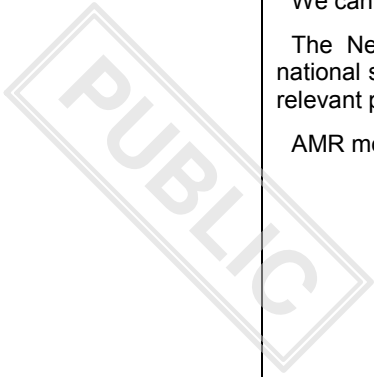
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>20</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |                           |                           |

<sup>20</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (21) 'antimicrobial resistance'                                                    |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (22); (23)                                                                         |                           |                           |
|                                                                                    |                           |                           |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <ul style="list-style-type: none"> <li><b>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</b></li> <li><b>(ii) poliovirus;</b></li> <li><b>(iii) influenza virus;</b></li> <li><b>(iv) emerging pathogens;</b></li> <li><b><u>(v) contaminants of emerging concern;</u></b></li> <li><b><u>(vi)</u> (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></li> </ul> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 1(a)</del>, <b>taking into account thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> |  | <p>We can support the Presidency's proposal.</p> <p>The Netherlands supports the obligation to set up a national system but leave the choice for monitoring of the relevant parameters up to member states.</p> <p>AMR monitoring is however very important.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p><del>32. 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</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <b><u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></b></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>21</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>22</sup></del>.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |

<sup>21</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>22</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(14) 'sludge'</p>                                                                      |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 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, <b>preparing for</b> reuse, <del>and recycling</del> <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                |                           | We support the inclusion to other material recovery in this article. If we can read that this article has a reference to the entire art. 4 we can support the Presidency's text. Sludge in incinerated in the Netherland because it is often too contaminated for spreading on land. So application of art. 4.2 is important for us. Article 4.1 seems to create an absolute hierarchy in waste management, in which incineration of sludge (d) is lower in waste hierarchy than spreading of sludge (c).. |
| 2. The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</b> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [Insert MS name] comments                                                                                                                                                                                                                                                                                                               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                         |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                         |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1);</del> <b>the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>(e) <del>the greenhouse gases <b>methane</b> produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> | <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1);</del> <b>the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>(e) <del>the greenhouse gases <b>methane</b> produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> | <p>Question to paragraph 1(c): it seems additional requirements with regard to the reuse of treated waste water for agricultural irrigation are regulated in this Directive. How does this relate to Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 on minimum requirements for water reuse?</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies <b>in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> | <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of <u>combined</u> sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b><u>polluted discharges of polluted</u></b> urban runoff <del>discharged</del> into water bodies <b>in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> <p><u>The above-mentioned monitoring or estimation shall be defined in the integrated urban wastewater management plans described in Annex V.</u></p> <p><u>For the purposes of this monitoring Member States may use a combination of validated models and representative samples of discharge points from combined sewer overflows and discharges of polluted urban runoff.</u></p> |                           |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>23</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>24</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture**.

~~4.~~ The monitoring referred to in ~~the first and second sub~~ **this** paragraphs **3** shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more~~ **above**;

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>25</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>26</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

~~(c) the presence of microplastics.~~

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

~~(c) the presence of microplastics.~~

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when ~~sludge~~ it is reused in agriculture**.

~~4.~~ The monitoring referred to in ~~the first and second sub~~ **this** paragraphs **3** shall be carried out with the following frequencies:

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] comments                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> | <p>(a) at least two samples per year, with maximum 6-7 months between the samples, for agglomerations of <del>400 000</del> <b>1050.000</b> p.e. and <del>more above</del>;</p> <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> | <p>The Netherlands supports the Commissions proposal of the threshold of 100.000 p.e.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                           |

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- 23 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 24 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).
- 25 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 26 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).



## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 2. By [OP: please insert the date = the last day of the <del>thirty fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |

5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:

(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if

5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

- the reasons for not being able to comply with articles 3(2) and/or 6(2) before the extended deadline because of excessive costs, technical infeasibility ,etc.

In general The Netherlands is not in favour of extra derogations. Article. 3.2 and 6.2 are new obligations that can be a lot of effort for a lot of member states, so here t some more time can be needed.

The Netherlands is of the opinion that stricter conditions should however be regulated for paragraph 5(a)

See also the coming comments of The Netherlands on cluster 2 and 4 regarding article 7.

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> | <p><del>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</del></p> <p><del>(a) they have a sufficient interest;</del></p> <p><del>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</del></p> <p><del>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</del></p> <p><del>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.</del></p> | <p>The Netherlands propose to delete this Article, because it is already regulated in the Aarhus treaty. Within the recast of the IED we have this discussion too, but in that directive it was already part of the current version (though in principle it had could be deleted). It was also a discussion in the Drinking water directive, and there it is deleted as new Article with the argument that it was already regulated. The question is why is this Article taken up in this proposal?</p> <p>We are questioning why this Article refers to Articles 6, 7 and 8 only, and what is meant with decisions or acts or omissions subject to Articles 6, 7 or 8? What kind of decisions, acts or omissions are meant? Can examples be provided?</p> <p>If it will not be deleted, we request to take care that the wording is the same as in the IED and the Ambient air quality Directive (recast). The current text in this proposal should then be adapted.</p> |
| 2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <del>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                         |
| 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.                                                                                                                        |                           | The Netherlands wishes to have the same provisions in different directives with regard to this subject. The Netherlands understand that this article is the same in the recast of Directive 2010/75/EU. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                         |
| <del>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.</del> |                           |                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                         |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           |                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                                                                                                                                                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>5</del> 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           |                           |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |

| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                                                                                                                                                                                                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                                                                                                                                                                                                                |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                                                                                                                                                                                                |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           | <p>The Netherlands wishes to have the same provisions in different directives with regard to this subject. The Netherlands understand that this article is the same in the recast of Directive 2010/75/EU.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] comments                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                               |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> | <p>1. By 31 December 203<del>5</del><sup>9</sup> and by 31 December 204<del>1</del><sup>9</sup>, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> | <p>2030 seems to be early, but it can give information if we are on the right track or not. It could be considered to join the WFD-cycle: reporting in 2033 (and 2039), plus 2 years for the report of the Commission is 2035 resp. 2041.</p> |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                               |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal                                                                                                                                                                                                                             | [Insert MS name] comments                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                                                                                                                                                                                                                                                       |                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                       |                                                                                                                                                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                                                                                                                                                                                                                                                       |                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                       |                                                                                                                                                                                                  |
| 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. | Every <del>six</del> 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. | The Netherlands is wondering why the periods are not linked with the periods of Article 30 (Evaluation). Five years seem to be too often; the periods of the WFD (see WFD Article 18) are wider. |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal                                                                                                                                                                                           | [Insert MS name] comments                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                                                                                                                                                                                                                     |                                                                                |
|                                                                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                                                                                                                                                                                                                     |                                                                                |
| (42); (43)                                                                                                                                                                                                          |                                                                                                                                                                                                                     |                                                                                |
|                                                                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in | 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in | The Netherlands proposes for the period for transposition a period of 3 years. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> | <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the <del>thirty-fifth</del><del>twenty-third</del> month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water sewer</del> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> | <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of <u>urban</u> wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <u>combined sewer</u> overflows <b><u>or discharges of polluted urban runoff</u></b> <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |



## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                 | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     | <u>Urban wW</u> astewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                          |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                                                                                                                                                                                                                                                                                                                                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                                                                                                                                                                                                                                                                                                                                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                              | 4. Discharges from urban wastewater treatment <u>plants</u> referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in <del>addition to the requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b> |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedial shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedial <b>from being released into receiving waters</b> the environment.                                      |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>27</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>27</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>27</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>27</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal                                                                                                                                                   | [Insert MS name] comments                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                                                                                                                                                                             |                                                                                                                                                                                |
|                                                                                                                                                                             |                                                                                                                                                                             |                                                                                                                                                                                |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                                                                                                                                                                             |                                                                                                                                                                                |
| (12)                                                                                                                                                                        |                                                                                                                                                                             |                                                                                                                                                                                |
|                                                                                                                                                                             |                                                                                                                                                                             |                                                                                                                                                                                |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> | 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> | Monitoring data are inextricably linked to the monitoring method applied, but also have a strict relationship with the conditions under which monitoring was carried out (such |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] comments                                                                                                                                                                                                                                             |                           |                                                                    |                                                             |                                                                                            |  |  |
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| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                             | <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2 <u>to 5</u>, <del>3 and 4</del> may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p> | <p>as dry weather flow). This is especially the case for monitoring micropollutants in inlet and outlet of urban wastewater treatment plants. Therefore it is necessary to include paragraph 5 for the 'alternative monitoring methods' mentioned in paragraph 1.</p> |                           |                                                                    |                                                             |                                                                                            |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                       |                           |                                                                    |                                                             |                                                                                            |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                       |                           |                                                                    |                                                             |                                                                                            |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                       |                           |                                                                    |                                                             |                                                                                            |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per <del>week</del> <b>month</b>.</td></tr></table> | — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                             | One sample per month ( <b>see Note 1</b> )                                                                                                                                                                                                                            | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | One sample per month ( <b>see Note 1</b> )                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                       |                           |                                                                    |                                                             |                                                                                            |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Two samples per month<br>For micropollutants, one sample per month                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                       |                           |                                                                    |                                                             |                                                                                            |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> .                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                       |                           |                                                                    |                                                             |                                                                                            |  |  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|---------------------------|
| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments   |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           | See comments on paragraph 1 |
|                                                                                                                                                                                                                                                                           |                           |                             |
| 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.                                                 |                           |                             |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                              |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                        |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>shall</b> <del>should</del> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above</b> identified in accordance with paragraph 2 of Article 5(2);</p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters</b>;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> | <p>2. Objectives for the reduction of pollution from <del>storm water</del> <b><u>combined sewer</u></b> overflows and <del>polluted discharges of</del> <b><u>polluted</u></b> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water</del> <b><u>combined sewer</u></b> overflow; represents <del>no more than 1 % only no more than 1 % a small percentage, preferably below one 2% percent</del>, of the annual collected urban wastewater load calculated in dry weather conditions, <b><u>on a national scale</u></b>;</p> <p>This <del>indicative target objective</del> <b>shall</b> <del>should</del> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of <b><u>between</u></b> 10 000 p.e. <b><u>and 100 000 p.e. and above</u></b> referred to and above identified in accordance with <del>paragraph 2 of</del> Article 5(2);</p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of <b><u>polluted</u></b> urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters</b>;</p> | <p>- See comments article 5</p> <p>- The Netherlands prefers the formulation 'discharges of polluted urban runoff' instead of 'polluted discharges of urban runoff'</p> <p>The Netherlands supports the Commissions proposal of 1% limit, which is achievable in the Netherlands itself.</p> <p>Add the word 'polluted' to avoid implementation misunderstandings.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                                                                        | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | (c) the progressive reduction of macroplastics in <u>combined</u> sewer overflow and discharges of <u>polluted</u> urban runoff. |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                  |                           |
| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                  |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                  |                           |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                                                                                                                                  |                           |

## AUSTRIA

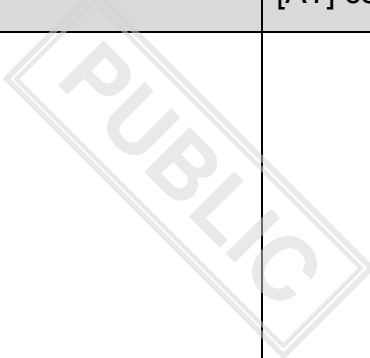
### URBAN WASTEWATER TREATMENT DIRECTIVE – COMMENTS BY AUSTRIA (FOLLOW-UP OF WK 10708/2023 INIT)

#### RECITALS

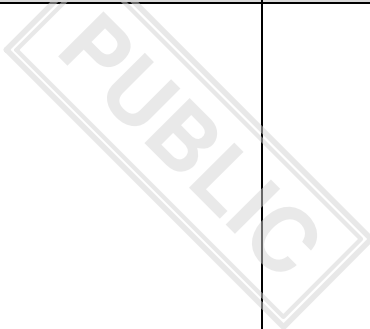
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [AT] comments                                                                                                                                                                                                                                                                                              |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                            |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> | <p>(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. <del>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</del> Its objective is to protect the environment from being 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 reduction of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, 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 Councils.</p> | <p>Minor remark.</p> <p>Recital 2 lays down the fundamental goals of the UWWTD and is to be read together with Art. 1. Details about what urban wastewater exactly is, are somewhat misplaced here, in particular as the sentence following the inserion refers to the first sentence of this recital.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [AT] comments                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                               |
| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4</u>. <b>When delineating their agglomerations, Member States should take into account the <u>indicative</u> reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</b> Where <del>centralised collecting</del> <u>such</u> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                        | <p>(..)</p> <p>, Member States should take into account the <u>indicative</u> reference threshold of 10 <del>to 25</del> p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.(..)</p> <p>or</p> <p>(..)</p> <p>, Member States should take into account the <u>indicative</u> reference threshold of <u>10 to 25 p.e.</u> per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</p> <p>(..)</p> | Minor remark. Either “indicative” or a range. |
| <p>(6) <del>Exceptionally, where</del> <b>Where</b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b>would not be technically feasible</b>, or <b>would</b> involve excessive costs, Member States should be allowed to use individual systems to <b>collect and</b> treat urban wastewater, as long as they ensure the same level of <b>protection of the environment</b> <del>treatment as secondary and tertiary treatment</del>. 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</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Scrutiny reservation.                         |

<sup>1</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [AT] proposal                                                                       | [AT] comments                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------|
| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                              |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     | <p>Scrutiny reservation.</p> |
| <p><b><u>(8 bis)</u></b> 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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     | <p>Scrutiny reservation.</p> |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] proposal                                                                       | [AT] comments                |
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| <p>treated urban wastewater, secondary treatment should be applied to all discharges of urban wastewater from agglomerations of 1 000 p.e. and above. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                              |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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 micropollutant discharges in the environment and the removal of micropollutants by urban wastewater treatment plants at such scale is cost-effective.</p> |                                                                                     | <p>Scrutiny reservation.</p> |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [AT] proposal | [AT] comments |
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| <p>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 micropollutants based on clear criteria, which should be specified. 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 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.</p>                                                                                                                               |               |               |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the</u></b></p> |               |               |

<sup>3</sup> 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).

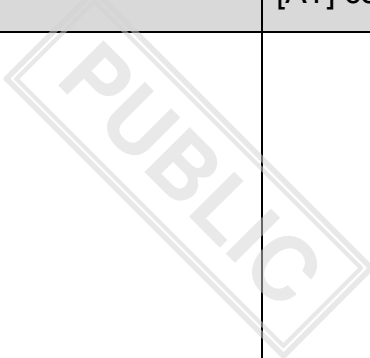
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [AT] proposal                                                                                                                                                                                   | [AT] comments                                     |
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| <p><u>abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u></p> <p>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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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” Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> and with Directive (EU) 2018/2001 in which urban wastewater treatment sites are</p> | <p>(...) A maximum share of <del>25%</del> 30% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources. (...)</p> | <p>Major remark (Cf. our comment on Art. 11.)</p> |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).

<sup>7</sup> 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).

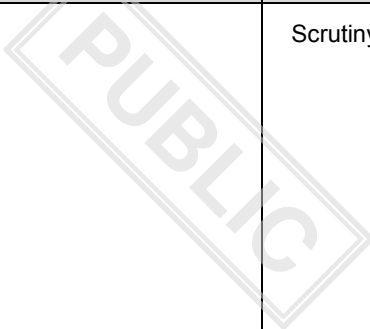
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [AT] proposal                                                                       | [AT] comments                |
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| <p>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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                              |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                                                                                     | <p>Scrutiny reservation.</p> |

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [AT] proposal | [AT] comments                |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |                              |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |               | <p>Scrutiny reservation.</p> |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               | <p>Scrutiny reservation.</p> |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] comments                                                                                                                                                                                                                                                                                                                                          |
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| <p>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.<br/> <u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                        |
| <p>(29) <del>Additional</del> <b>Adequate</b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water sewer</del> overflows and <b>polluted</b> urban runoff <b>discharges</b>. <b>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 8<sup>th</sup> Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> | <p>(29) Adequate monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, <del>GHG emissions</del>, sewer overflows and polluted urban runoff discharges. <del>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</del> To verify the <b>performance compliance</b> of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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.</p> <p><b><u>29bis) Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. GHG emissions should be monitored, where relevant, supported by calculations and modelling.</u></b> This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions. The monitoring will also contribute to provide data for the overall Environmental Monitoring Framework as set up under the 8<sup>th</sup> Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> | <p>We miss a clear distinction between compliance monitoring and watch list monitoring. Concerning microplastics, relevant micropollutants and GHG emissions, we understand those monitoring obligations as sort of “watch list” monitoring. Here, the aim is not to control compliance, but to gather information about releases the environment.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [AT] proposal                                                                       | [AT] comments                |
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| <p>(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, <u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  | <p>Scrutiny reservation.</p> |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     | <p>Scrutiny reservation.</p> |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     | <p>Scrutiny reservation.</p> |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                          | [AT] proposal | [AT] comments |
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| regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity. |               |               |
|                                                                                                                                                                                                                                                          |               |               |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [AT] proposal | [AT] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |               |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |               |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to</del> <b>sustainable levels</b> 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. |               |               |



## ARTICLE 2 – DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [AT] proposal                                                                                                                                                      | [AT] comments                                                            |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                    |                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                    |                                                                          |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                    |                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                    |                                                                          |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del>                                                                                                                                                                                                                                                                                                         | (1) 'urban wastewater' means domestic wastewater or, domestic wastewater mixed with either non-domestic wastewater <del>and/or</del> urban runoff or both of them; | Please go back to the previous wording. It should be "or" and not "and". |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and</del> services <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                    |                                                                          |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged into collecting systems from premises used for either the following:<br><br>(a) the exercise of a trade;<br>(b) <del>activities carried out by an institution;</del><br><del>or industrial or economical activities;</del><br><br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                                                                                                                                                                    | AT welcomes the amendment.                                               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] proposal                                                                                                                                                                                                         | [AT] comments                                                                                           |
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| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> pollution load of urban wastewater is sufficiently concentrated ( <b>taking as a reference 10 p.e. per hectare or above</b> ) for urban wastewater to be collected and conducted to <b>one or more</b> an urban wastewater treatment plants or to a <b>one or more</b> final discharge points. <b>into receiving waters</b> ; |                                                                                                                                                                                                                       |                                                                                                         |
| (5) 'urban runoff' means <b>precipitation rainwater</b> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                       |                                                                                                         |
| (6) ' <del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <b>into</b> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                       |                                                                                                         |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                       |                                                                                                         |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that</del> <b>designed to</b> collects and conducts urban wastewater <b>including urban runoff</b> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                                                             | (8) 'combined sewer <b>system</b> ' means <b>a single conduit one collecting system</b> that <b>jointly</b> collects and conducts urban wastewater including urban runoff                                             | Par. 8 and 9: Why should a combined sewer be only a single conduit, while a separate sewer is a system? |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b> :<br>(a) <del>domestic urban wastewater not including urban runoff</del> ;<br>(b) <del>non-domestic wastewater</del> <b>non-domestic wastewater</b> ;<br>(c) <del>a mixture of domestic and non-domestic wastewater</del> ;<br>(d) <del>rainwater from agglomerations</del> ;                                                  | (9) 'separate sewer <b>system</b> ' means <b>two collecting systems of conduits</b> that separately collect <del>s</del> and conduct <del>s</del> either urban runoff or urban wastewater not including urban runoff; |                                                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                           | [AT] proposal                                                                                                                                                                                                                                                                                         | [AT] comments                                                                                                                                                                                                                                                                        |
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| (10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del>                                                   |                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                      |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%. |                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                      |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of biodegradable organic matter in from</del> urban wastewater;                                                                                       |                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                      |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> by a process which removes nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                                     |                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                      |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> reduces a broad spectrum of micropollutants <del>in from the</del> from urban wastewaters;                                                                                                                                                          | (13) 'quaternary treatment' means treatment of urban wastewater by a process which <u>specifically</u> reduces a <del>broad spectrum of micro-pollutants significant proportion of poorly biodegradable or non-biodegradable organic matter, including micro-pollutants</del> from urban wastewaters. | We still believe that a more precise description is necessary in the definition. The current definition suggested by PRES would also describe tertiary treatment.                                                                                                                    |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue</del> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <del>debris, grit, grease, other debris</del> and any other screenings residues from the <del>first</del> pre-treatment step);       |                                                                                                                                                                                                                                                                                                       | It is important that primary sludge from primary settling tanks is included in the definition of sludge.<br><br>We understand that Presidency replaced the term "primary treatment" with "pretreatment" to make this clear. But now the question arises how pretreatment is defined. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [AT] proposal | [AT] comments         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------|
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |               |                       |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |               | Scrutiny reservation. |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                |               |                       |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |               |                       |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |               |                       |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |               |                       |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |               |               |
| (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; |               |               |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |               |               |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |               |               |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5</u> in urban wastewater, expressed in p.e., or any pollutant or nutrient <del>in urban wastewater, expressed in p.e. or mass unit per time</del> (usually kilogram per day or year).</b>                                         |               |               |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |               |               |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |               |               |
|                                                                                                                                                                |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [AT] proposal | [AT] comments             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                           |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                           |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <del>domestic urban</del> wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                                          |               | We welcome the amendment. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                           |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 <del>p.e.</del> comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |               | We welcome the amendment. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based calculated on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</del> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p> | <p>3. The <del>calculation of the</del> load of an agglomeration expressed in p.e. shall be calculated on the basis of the maximum average weekly load <del>entering the treatment plant generated in that agglomeration</del> during the year, excluding unusual situations such as those, due to heavy rain. <u>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant, shall also be based on the maximum average weekly load.</u></p> | <p>Art. 3.3 defines how to determine the load of an agglomeration or an UWWTP. We strictly reject the new wording proposed by PRES. We will explain it with an example:</p> <p>- Let's imagine an agglomeration where during the week with maximum average pollution, a load of 100,000 p.e. are generated. This agglomeration would need one or more UWWTPs that can treat a total of 100,000 population equivalents. Conclusion: The load generated in the agglomeration determines the size of the treatment plant.</p> <p>However, the text proposed by PRES does it the other way round: it suggests that on the basis of that load that is treated in the UWWTP, we could derive the load that is generated in the agglomeration. Coming back to our example: If in this agglomeration, the UWWTP just took 50.000 p.e. instead of 100.000 p.e., according the the PRES text, the size of this agglomeration would only be 50.000 p.e.. In German we would conclude "that here the tail wags the dog".</p> <p>We therefore insist on the previous text.</p> |
| <p>4 3. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                           | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [AT] proposal | [AT] comments            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------|
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                          |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                          |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                          |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |               |                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                          |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection treatment</b> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                     |               | We welcome the proposal. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                          |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>3. [NEW]</b> Member States shall ensure that <b>individual systems that are used in agglomerations of 1 000 p.e. and above, where individual systems are used</b> are registered in a public <b><u>national, or regional or local</u></b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local level</b>.</p>                                                                                                                                                                                                     | <p><b>3.</b> Member States shall ensure that individual systems that are used in agglomerations of 1 000 p.e. and above, where individual systems are used are registered in a public national, or regional or local registry and that regular inspections or other means of regular checks or control of those systems, <b><u>on the basis of a risk-based approach</u></b>, are carried out by the appropriate authority or other body authorised at national, or regional or local level.</p>                                                             | <p>A plant that is not controlled will not work. If a risk-based approach is used to check some individual systems more often and some less often, then we can accept that. However, in this case, there is no need to mention the risk-based approach, here, as the term “regular checks” includes sufficient flexibility for such an approach.</p> <p>However, with the current wording, the term “risk-based approach” may be misinterpreted and result in some individual systems not being controlled at all. Or they might produce “gold plating” discussions within MS as AT, where regular checks or controls of such systems are state of the art, and how might have to justify why they ask for more than the minimum requirements.</p> |
| <p><b>34.</b> The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 27 to supplement this Directive by <b>that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for establishing minimum requirements on for:</b></p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> second subparagraph.</p> <p><b>The Commission will provide the requirements by <u>24 months</u> from the entry into force of this Directive.</b></p> | <p><b>4.</b> The Commission is empowered to adopt implementing acts that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for establishing minimum requirements for:</p> <p><b><u>(a) the design, operation, and maintenance</u></b> of individual systems <b><u>and</u></b></p> <p><b><u>(b) the regular inspections referred to in paragraph 3, on the basis of a risk-based approach</u></b></p> <p>The Commission will provide the requirements by 24 months from the entry into force of this Directive}.</p> | <p>With regard to operation, maintenance and periodic inspections, AT is critical of the delegation of competences from the MS to the COM in delegated acts as well as in implementing acts. It should be left to the MS to organise themselves in such a way that the organisational and administrative structures existing in the respective MS are optimally used.</p>                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal | [AT] comments         |
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| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>I demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |               | Scrutiny reservation. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                       |
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>f24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                       |

## ARTICLE 5 – INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                             | [AT] proposal | [AT] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                         |               |               |
|                                                                                                                                                                                                                             |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                |               |               |
| (7); (8)                                                                                                                                                                                                                    |               |               |
|                                                                                                                                                                                                                             |               |               |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of</b> 22imples22ion22on of 100 000 p.e. and above. |               |               |
|                                                                                                                                                                                                                             |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [AT] comments                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than 4% <del>3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> conditions;</p> <p><b>I</b> <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>(...)</p> <p>(a) sewer overflow or <b>polluted</b> discharges of urban runoff poses a risk to the environment or human health;</p> <p>(b) <b>domestic and non-domestic wastewater load spilled to the environment via storm water sewer</b> overflow represents more than 3% of the annual collected urban wastewater load of the parameters referred to in Table 1 and, where relevant, Table 2 of Annex I, calculated in dry weather flow;</p> <p>I sewer overflow or <b>polluted</b> discharges of urban runoff prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>15</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>16</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>17</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph <b>in 2033, and thereafter</b> every six years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p><b>Major remark:</b> Addition of “domestic and non-domestic” = necessary clarification to avoid misinterpretation.</p> <p>Align with the deadlines for the national water management plans under the WFD.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                               | [AT] proposal | [AT] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
|                                                                                                                                                                                                               |               |               |
| 3. By 31 December 2035 <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 |               |               |
|                                                                                                                                                                                                               |               |               |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                         |               |               |
|                                                                                                                                                                                                               |               |               |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                       |               |               |
|                                                                                                                                                                                                               |               |               |

<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>15</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>16</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>17</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>© determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive.</b></p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |               |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six</b> 5 years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
| <p>(11) 'secondary treatment'</p>                                                         |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal | [AT] comments         |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                       |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                       |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, © obligation set out in the first paragraph shall not apply until 31 December 2027 for:</p> <p>(a) For For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on [please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on [please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |               | Scrutiny reservation. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     | <p><del>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</del></p> | <p>We do not need this provision and see no coherence between altitude and level of treatment per se. As for the influence of temperature on treatment, low temperatures have a lot more impact on tertiary treatment than on secondary treatment. We'd rather stick to the original footnote concerning wastewater temperature of 12°C in Table 2 than maintain this provision regarding mountain regions.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                 |



| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 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. |               |               |
|                                                                                                                                                                                                                  |               |               |

# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (16)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> | <p>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 <b>(4), (5) and (6)</b> of Directive 2012/27/EU and include an identification of the potential for cost- effective measures to reduce the use of energy and enhance the production of renewable energy, with a particular focus to identify and utilise the potential for biogas 29imples29io, while reducing greenhouse gas emissions. The first audits shall be carried out:</p> <p>(a) by 31 December 2030 for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December 2035 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.</p> | <p>Directive 2012/27/EU:</p> <ul style="list-style-type: none"> <li>• We suggest that the Legal Service of the Council controls the reference to Directive 2012/27/EU. To our knowledge, a recast of this Directive will be announced in 9/2023.</li> <li>• We propose to limit the reference to Art. 8 of Directive 2012/27/EU to the really relevant paragraphs (e.g. paragraph 3 refers to households).</li> </ul> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                       |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>© 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, <b>at national level</b>, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, based on the results of the audits referred to in paragraph 1.:</p> <p>This energy will be produced from urban wastewater resources, on or off-site, <b>or from the production of renewable energy on-site the urban wastewater treatment plant.</b> A maximum of <b>25% 30%</b> of energy may be produced or purchased from external renewable sources.</p> <p>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants <b>at national level</b> or purchased under <b>sub</b>paragraphs 1 and 2 is equivalent to at least:</p> <p>(a) 20 % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) 60 % of the total annual energy used by such plants by 31 December 2035;</p> <p>© 100 % of the total annual energy used by such plants by 31 December 2040.</p> | <ul style="list-style-type: none"> <li>The term <b>“at national level”</b> should be moved closer to the targets a), b), c) to make the text clearer.</li> <li>Amendment in order to not exclude PV on site (which is not produced from urban wastewater resources) or co-fermentation in the anaerobic digesters</li> <li><b>30 %:</b> When considering electrical energy neutrality (<b>heat not considered hereafter!</b>), then findings for AT are: <ul style="list-style-type: none"> <li>If we increase the electrical energy efficiency of UWWTPs &gt; 10.000 p.e. to current benchmarks (optimized aeration systems, and pumps, etc.), and</li> <li>if we consider the additional demand of electrical energy of upgraded UWWTPs due to quaternary treatment, and</li> <li>if we increase the production of electrical energy of UWWTPs &gt; 10.000 p.e. to current benchmarks (highly efficient gas motors, anaerobic digestion for all UWWTPs &gt; 30.000 p.e., sludge incineration with heat and energy production, etc.),</li> </ul> then we lack about <b>30 %</b> of the electrical energy demand of AT UWWTPs. </li> </ul> |

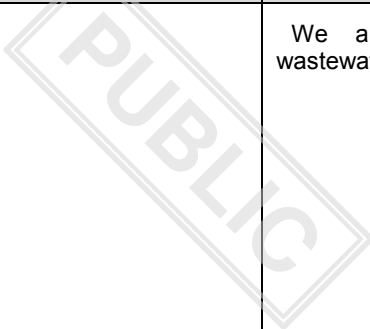
| New text proposal_Clusters1,3,5 | [AT] proposal                                                                                                                                                                                                                                                                                                                                                         | [AT] comments                                                                                                                                                                                                                                                                                               |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 | <u>3. The Commission is empowered to adopt an implementing act that shall be adopted in accordance with the examination procedure referred to in Art. 28(2) for establishing the methods to assess whether the objective in paragraph 2 has been met. The Commission will provide this implementing act by 24 months from the entry into force of this Directive.</u> | We insist on the need to clarify what “energy neutrality” stands for and how it is calculated. We do not believe that it is adequate to just sum up kWh <sub>electr.</sub> And kWh <sub>thermal</sub> . If there is no harmonised approach on how to calculate energy neutrality, how to assess compliance? |

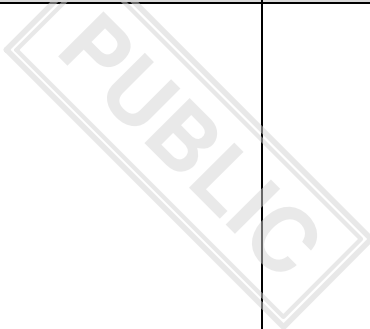
## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [AT] proposal | [AT] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |               |               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |               |               |
| (18)                                                                                                                                                                                                                                                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                     |               |               |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |               |               |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
| (3) 'non-domestic wastewater'                                                      |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (19)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [AT] proposal                                                                       | [AT] comments                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p><del>Those general binding rules</del> <b>prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</b></p> <p><del>Where general binding rules</del> <b>regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants</b>, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <b>and informs</b> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p><b><u>I Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></b></p> |  | <p>We appreciate that monitoring of non-domestic wastewater is now mentioned.</p> <p>© Scrutiny reservation.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [AT] proposal                                                                       | [AT] comments         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>18</sup>;</p> <p>© treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>© the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |  |                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |                       |
| <p>3. The <b>general binding rules regulations and</b> specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     | Scrutiny reservation. |

<sup>18</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] proposal | [AT] comments |
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| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> <u>regulations</u> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></b></p> |               |               |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
| (3) 'non-domestic wastewater'                                                      |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (21)                                                                               |               |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [AT] proposal | [AT] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
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| <p>1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del><b>Part</b> B of Annex I.</p>                                                                                                                                                                                                                                                                            |               |               |
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| <p><b>2.</b> The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>19</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |               |               |

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                           | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |

<sup>19</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

| New text proposal_Clusters1,3,5                                              | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------|---------------|---------------|
| (21) 'antimicrobial resistance'                                              |               |               |
|                                                                              |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |               |               |
| (22); (23)                                                                   |               |               |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>© influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>© contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1 that are to be monitored</del> <b>at least in the inlet of</b> urban wastewater <b>treatment plants, such as those in the following list:</b></p> <p><b>(i) SARS-CoV-2 virus and its variants of interest;</b></p> <p><b>(ii) poliovirus;</b></p> <p><b>(iii) influenza virus;</b></p> <p><b>(iv) emerging pathogens;</b></p> <p><b><u>(v) contaminants of emerging concern;</u></b></p> <p><b><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></b></p> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 4(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>© the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> | <p>1. Member States shall set up a national system for cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of relevant public health parameters that are to be monitored at least in the inlet of urban wastewater treatment plants, <b><u>such as those in the following list:</u></b></p> <p><b><u>(i) SARS-CoV-2 virus and its variants of interest;</u></b></p> <p><b><u>(ii) poliovirus;</u></b></p> <p><b><u>(iii) influenza virus;</u></b></p> <p><b><u>(iv) emerging pathogens;</u></b></p> <p><b><u>(v) contaminants of emerging concern;</u></b></p> <p><b><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></b></p> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for <b>relevant each</b> public health parameter identified, <del>in accordance with paragraph 1(a), taking into account</del> thus regarding the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> | <p>By way of introduction to Article 17 there is still the fundamental question of the legal basis.</p> <p>Legal basis:</p> <ul style="list-style-type: none"> <li>• AT still has doubts that the proposed Article 17 of the Commission proposal for a revised Directive on Urban Wastewater Treatment COM(2022) 542 can be based on Art. 192 (1) TFEU, which provides only the legal foundation for environmental policy of the European Union.</li> <li>• Other Member States also share this position.</li> <li>• In the Working Party on the Environment (WPE) on 21 March 2023 the Council Legal Service has stated its temporary legal opinion and we ask to provide the final legal opinion in written form.</li> </ul> <p><b>Art. 17 (1): see text proposal in column [AT] proposal</b></p> <ul style="list-style-type: none"> <li>• Major remark: Deletion of defined health parameters (list)</li> </ul> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>32. 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 <b>relevant public health parameters</b> shall be monitored in urban wastewaters from a <b>representative distribution</b> at least 70 % of the national population. <b>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</b> And at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <u>this the</u> competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account consider</del> <b>Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>20</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>21</sup>±.</del></p> | <p><del>2. When a public health emergency is declared by the competent authority responsible for public health in the Member State, relevant public health parameters shall be monitored in urban wastewaters from a representative distribution of the population. This monitoring shall continue until this the competent authority declares that the public health emergency has ended, or during a longer period if deemed useful for other purposes, according to the same competent authority.</del></p> <p><del>To determine whether there is a public health emergency, the competent authority shall take into account consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>22</sup>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health.</del></p> | <p>Concerning the legal basis for the provisions of Art. 17, please refer to our comment regarding Art. 17 (1).</p> <p>In case there is indeed a legal basis for Art. 17, AT suggests the following adaptations for Art. 17 (2)</p> <ul style="list-style-type: none"> <li>• Austrian law does not provide for the concept of declaring a formal Public Health Emergency. This point will not be applicable for AT.</li> <li>• Thus, we suggest to delete Art.17 (2).</li> </ul> |

<sup>20</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>24</sup> ± OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

<sup>22</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [AT] proposal | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission <del>shall</del> <b>may shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an a</del> uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |               | <p>Concerning the legal basis for the provisions of Art. 17, please refer to our comment regarding Art. 17 (1).</p> <p>In case there is indeed a legal basis for Art. 17, AT has the following position regarding Art. 17 (3):</p> <p>AT welcomes the more openly approach concerning the monitoring of antimicrobial resistance, by allowing the Member State to decide how often a year antimicrobial resistance is monitored.</p> |
| 54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                                                                                                                                                                                                                                                                                                                                                                                      |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                    | [AT] proposal | [AT] comments                        |
|------------------------------------------------------------------------------------|---------------|--------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               | We welcome the new title of Art. 20. |
| (14) 'sludge'                                                                      |               |                                      |
|                                                                                    |               |                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [AT] proposal | [AT] comments                                                                      |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                                                                                    |
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                                                    |
| 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, <b>preparing for</b> reuse, <del>and</del> recycling <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                     |               | We welcome that the wording on the waste hierarchy in Art. 20.1 has been improved. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                                                    |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <b>and from urban wastewater not reused under the derogation of Article 15(1), taking</b> <del>in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery. <del>In sludge and wastewater. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</del> |               | We welcome that nitrogen has been deleted.                                         |

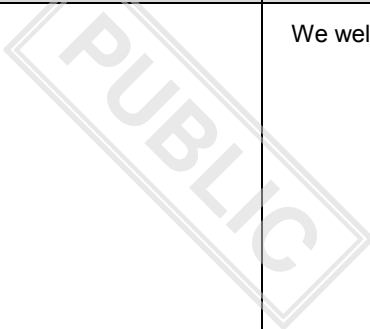
## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [AT] proposal | [AT] comments                                                                                          |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                                                                                                        |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                                                                                        |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u></b>;</p> <p>© <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</del></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, <u>by means of analysis, calculations or modelling where appropriate</u>;</b></p> <p>© <del>the greenhouse gases <b>methane</b> produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |               | <p>d) We appreciate the clarifications and believe that this is a good and cost-effective approach</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer the concentration and loads of pollutants from storm water overflows and <u>polluted discharges</u> of urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> | <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, appropriate bodies or operators of the collecting system carry out representative monitoring of sewer overflows and <b>polluted</b> discharges of urban runoff into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of <b>microplastics and</b> relevant micropollutants in these discharges.</p> | <ul style="list-style-type: none"> <li>• We welcome the approach to combine monitoring and modelling for storm water overflows.</li> <li>• We are still very critical about the feasibility of monitoring microplastics for each agglomeration, have explained the reasons for this in previous comments, and now suggest an approach where MS get themselves an overview by research projects.</li> </ul> |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] proposal                                                                       | [AT] comments                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------|
| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>23</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>24</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>© the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> |  | <p>We welcome the amendments.</p> |

23 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal | [AT] comments              |
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| <p><b>4.</b> The monitoring referred to in <del>the first and second sub</del><br/><del>this</del> paragraph <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6-7</del><br/>months between the samples, for agglomerations of <del>400 000</del> <b>150.000</b> p.e. and <del>more above</del>;</p> <p>(b) at least one sample every <del>2</del> <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</b></p> |               | We welcome the amendments. |
| <p><b>5.</b> 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 <b>greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               | We welcome the amendment.  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                            |

24 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).

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [AT] proposal | [AT] comments          |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                        |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                        |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                        |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(b) the identification and planning of investments required to implement this Directive for each agglomeration, including an indicative financial estimation and a 46imple46ion46on of those investments related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>I an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |               | Scrutiny 46imple46ion. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [AT] proposal | [AT] comments            |
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| 2. By [OP: please insert the date = the last day of the <del>thirty fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.                            |               | Scrutiny 47implies47ion. |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                          |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |               |                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                          |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |               |                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                          |

**5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:**

**(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:**

**(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:**

**(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if**

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| New text proposal_Clusters1,3,5                                                                                                                    | [AT] proposal | [AT] comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |               |               |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (34)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [AT] proposal | [AT] comments           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |               | Scrutiny 50imples50ion. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |                         |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                         |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
|                                                                                           |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [AT] proposal | [AT] comments                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                      |
| 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.                                                                                                                        |               | Scrutiny reservation entire Art. 26. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                      |
| <del>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.</del> |               |                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                      |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |               |                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                      |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                  | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <u>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</u>                                                                                                         |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| <b>5 3.</b> Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |               |               |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (35)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] proposal | [AT] comments                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               | Scrutiny reservation entire article 27. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                         |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |               |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                         |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |               |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                         |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |               |               |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [AT] proposal | [AT] comments                           |
|------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |               |                                         |
|                                                                                                                  |               |                                         |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |               |                                         |
| (36)                                                                                                             |               |                                         |
|                                                                                                                  |               |                                         |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |               | Scrutiny reservation entire article 28. |

| New text proposal_Clusters1,3,5                                                                     | [AT] proposal | [AT] comments |
|-----------------------------------------------------------------------------------------------------|---------------|---------------|
| implementation of the directive on urban wastewater treatment.                                      |               |               |
|                                                                                                     |               |               |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |               |               |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal | [AT] comments                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                         |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               |                                         |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                         |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |               | Scrutiny reservation entire article 29. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [AT] proposal | [AT] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p>© <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p>© <b>the repetitive or singular character of the infringement</b>;</p> |               |               |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>© relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>© 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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |               |               |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |               |               |
|                                                                                                                                                                                                                                        |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |               |               |
|                                                                                                                                                                                                                                        |               |               |
| 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. |               |               |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [AT] proposal | [AT] comments                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |               |                                         |
|                                                                                                                                                                                                                     |               |                                         |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |               |                                         |
| (42); (43)                                                                                                                                                                                                          |               |                                         |
|                                                                                                                                                                                                                     |               |                                         |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |               | Scrutiny reservation entire article 33. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |               |               |
|                                                                                                                                                    |               |               |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |               |               |
|                                                                                                                                                    |               |               |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |               |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |               |               |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [AT] proposal | [AT] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |               |               |
|                                                                                                                                                                                                   |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |               |               |
|                                                                                                                                                                                                   |               |               |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |               |               |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [AT] proposal | [AT] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |               |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |               |               |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [AT] proposal | [AT] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |               |               |
|                                                                                                                                                                                                                                                                                                                                                                          |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |               |               |
|                                                                                                                                                                                                                                                                                                                                                                          |               |               |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |               |               |
|                                                                                                                                                                                                                                                                                                                                                                          |               |               |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |               |               |
|                                                                                                                                                                                                                                                                                                                                                                          |               |               |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |               |               |
|                                                                                                                                                                                                                                                                                                                                                                          |               |               |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                              |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [AT] proposal          | [AT] comments                                              |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedica <b>from being released into receiving waters</b> the environment.                                      |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>25</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters             | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>25</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration          | Minimum percentage of reduction (see Note 4) <sup>25</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>25</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [AT] proposal | [AT] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC        |               |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |               |               |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |               |               |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |               |               |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [AT] proposal                                             | [AT] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|---------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                    |                                                           |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                           |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4 : Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> | Table 4 : Requirement for samples                         |               | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4 : Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Maximum permitted number of samples which fail to conform |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 4                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 5                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 6                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 7                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 8                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 9                                                         |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 10                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 11                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 12                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 13                                                        |               |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [AT] proposal | [AT] comments |
|---------------------------------|----|---------------|---------------|
| 172-187                         | 14 | PUBLIC        |               |
| 188-203                         | 15 |               |               |
| 204-219                         | 16 |               |               |
| 220-235                         | 17 |               |               |
| 236-251                         | 18 |               |               |
| 252-268                         | 19 |               |               |
| 269-284                         | 20 |               |               |
| 285-300                         | 21 |               |               |
| 301-317                         | 22 |               |               |
| 318-334                         | 23 |               |               |
| 335-350                         | 24 |               |               |
| 351-365                         | 25 |               |               |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [AT] proposal | [AT] comments                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                              |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                              |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>© the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |               | Scrutiny reservation lit c). |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [AT] proposal | [AT] comments |
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| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>© the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p>2. <del>The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |               |               |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [AT] proposal | [AT] comments         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |               |                       |
|                                                                                                                                                                             |               |                       |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |               |                       |
| (12)                                                                                                                                                                        |               |                       |
|                                                                                                                                                                             |               |                       |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |               | Scrutiny 68impl68ion. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [AT] proposal                                                                  | [AT] comments                            |                           |                                                                    |                                                             |                                                                                |  |                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|--|----------------------------------|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                  |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |                                  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                               |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |                                  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month <b>(see Note 1)</b></td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                          | One sample per month <b>(see Note 1)</b> | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |  | We appreciate the modifications. |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One sample per month <b>(see Note 1)</b>                                       |                                          |                           |                                                                    |                                                             |                                                                                |  |                                  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month             |                                          |                           |                                                                    |                                                             |                                                                                |  |                                  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |                                          |                           |                                                                    |                                                             |                                                                                |  |                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | [AT] proposal | [AT] comments |
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| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |               |               |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>© for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [AT] proposal | [AT] comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |               |               |
|                                                                                                                                                                                                                                                                           |               |               |
| 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.                                                 |               |               |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [AT] proposal | [AT] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |               |               |
|                                                                                                                                                                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |               |               |
|                                                                                                                                                                                                                                    |               |               |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                           | [AT] proposal | [AT] comments |
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| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |               |               |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

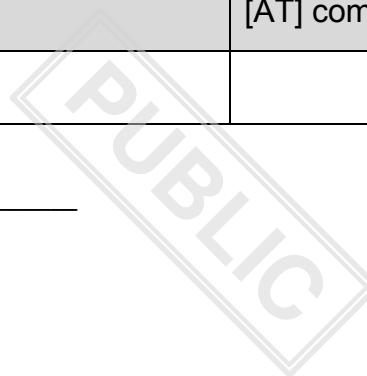
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [AT] comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in | 1. An analysis of the initial situation of the drainage area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage and conducting capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [AT] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [AT] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>account state-of-the-art climate projections and including an estimate of the pollution loads of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as <b>microplastics—and relevant micropollutants listed in article 21 (3a)</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of urban runoff discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <b>only no more than 1 % a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters;</b></p> | <p>2. Objectives for the reduction of pollution from sewer overflows and <del>polluted</del> discharges of urban runoff, including the following:</p> <p>(a) an indicative objective that <b>domestic and non-domestic wastewater load spilled to the environment via storm water sewer</b> overflow represents only a small percentage, preferably below 2% percent, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This objective should be met by:</p> <p>(i) 31 December 2040 for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December 2045 for agglomerations of 10 000 p.e. and above referred to in <del>of</del> Article 5(2);</p> <p>(...)</p> | <p><b>Major remark:</b> We agree with the indicative objective under the condition that</p> <p>1.) they clearly refer to the urban wastewater load due to domestic and non-domestic wastewater, but excluding the load due to urban runoff and</p> <p>2.) they clearly refer to combined sewer systems (therefore “stormwater overflow”, not “sewer overflow”)</p> <p>Otherwise, as WK 7217/2023 INIT clearly shows, the indicative objective is far from reach, even for MS that are mentioned as applying “best practice” in the Impact Assessment.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [AT] proposal | [AT] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| I <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |               |
| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>© 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 considered in the context of the development of the</p> |               |               |

| New text proposal_Clusters1,3,5                                        | [AT] proposal | [AT] comments |
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| integrated urban wastewater management plans referred to in Article 5. |               |               |

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## POLAND

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [PL] comments                                                                                                                                                                                                                                                                                  |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <b><u>elimination reduction</u></b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <b><u>notably by further reducing nitrogen emissions</u></b> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> | <p>(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. Urban wastewaters can be formed by different mixtures of domestic wastewaters, <b><u>with urban runoff and/or mixtures of domestic wastewater</u></b> with non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well. Its objective is to protect the environment from being 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 <b><u>elimination</u></b> reduction of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <b><u>notably by further reducing nitrogen emissions</u></b> 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 Council.</p> | <p>We initially suggest that the wording "urban wastewaters" should be replaced with the wording "urban wastewater". In addition, please consider whether it would not be more appropriate to use the word "with" followed by "or mixtures of domestic wastewaters with" instead of "and".</p> |

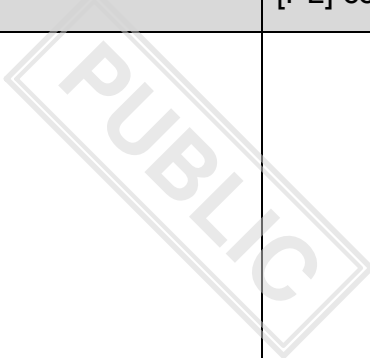
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [PL] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> <b>When delineating their agglomerations, Member States should take into account the <u>indicative</u> reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</b> Where <del>centralised collecting</del> <u>such</u> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>In our opinion, the indicative reference threshold should not indicate a range (i.e. "from" "to"), because when specifying from 10 p.e./ha to 25 p.e./ha, it is not clear what size of p.e. should be a reference point for determining agglomerations;</p> <ul style="list-style-type: none"> <li>- we repeat the reservation from the previous stages that the designation of agglomerations should be economically and technically justified. The guidelines that these will be areas with a concentration of 10 p.e./ha are inappropriate and do not take into account local conditions at all.</li> <li>- the phrase: "per hectare above" is not understandable. In PL's opinion, the sentence needs to be redrafted.</li> </ul> <p>The remark also applies to the definition of agglomeration in Art. 2.</p> <p>We suport Belgium's proposals and agree that urban runoff extends the scope of the directive and should not be the subject to the same requirements as storm overflows, especially since the requirements in this area are high, also in terms of technology. However, if runoff is to be the subject to these regulations, it should be limited to situations where there is a risk of polluting the receiver environment. This should be supported by analyses.</p> |
| <p>(6) <del>Exceptionally, where</del> <b>Where</b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <u>would not be technically feasible</u>, or <u>would</u> involve excessive costs, Member States should be allowed to use individual systems to <u>collect and</u> treat urban wastewater, as long as they ensure the same level of <u>protection of the environment</u> <del>treatment as secondary and tertiary</del></p>                                                                                                                                                                                                                                                                                                          | <p>(6) <del>Exceptionally, where</del> Where it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, would not be technically feasible, or would involve excessive costs, Member States should be allowed to use individual systems to collect and treat <u>or to storage</u> urban wastewater, as long as they ensure the same level of protection of the environment <del>treatment as secondary and</del></p> | <p>PL thanks for introduction of wordin: "collect" but in our opinion "collect" isn't similar to "storage", so we request add this word in recital 6.</p> <p>In PL's opinion current provision still doesn't provide for the replacement of the collecting system with <b>"storage"</b> tanks. It should be noted that in Article 4 para. 1, the possibility of using <b>"storage"</b> tanks in justified cases has been included. The possibility of using tanks to storage wastewater is very</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

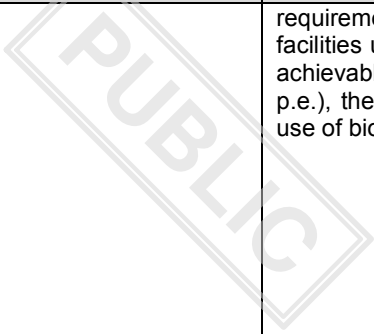
<sup>1</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [PL] comments                                                                           |
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| <p><del>treatment</del>. 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. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p> | <p><del>tertiary treatment</del>. 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. Where individual systems are used to collect and treat <b>or to storage</b> more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</p> | <p>important to us. We raised this issue in the earlier stages of the negotiations.</p> |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management</u></b></p>                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [PL] proposal | [PL] comments |
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| <u>plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |               |
| <b><u>(8 bis)</u></b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b> |               |               |
| (11) Recent scientific knowledge underpinning several Commission strategies <sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <u>usually</u> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <u>small quantities</u> <b><u>low concentrations of micrograms per litre or below.</u></b> An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, which represent a significant part of the                                                                                                            |               |               |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [PL] proposal                                                                       | [PL] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                     | <p>We question the acceptable amount of renewable energy proposed, not directly related to the treatment of urban wastewater, which can be purchased or produced from external sources - 25%. In our opinion this threshold would be difficult to achieve in many cases.</p> <p>We request to clarify in recital 16 whether the targets apply only to electricity energy or also to heat energy?</p> <p>For smaller wastewater treatment plants, heat energy will be an additional problem.</p> <p>We reiterate the remark made to Art. 11, in earlier stages. We propose limiting the energy self-sufficiency</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [PL] proposal                                                                       | [PL] comments                                                                                                                                                                                                                                                                                      |
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| <p>European Parliament and of the Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u></b> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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</p> |  | <p>requirements to treatment plants &gt;100,000 pe. In smaller facilities using biogas management, self-sufficiency is not achievable and in many cases (especially 10,000-30,000 p.e.), the costs associated with sludge digestion and the use of biogas significantly outweigh the benefits.</p> |

<sup>3</sup> 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).

<sup>4</sup> 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).

<sup>5</sup> 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.

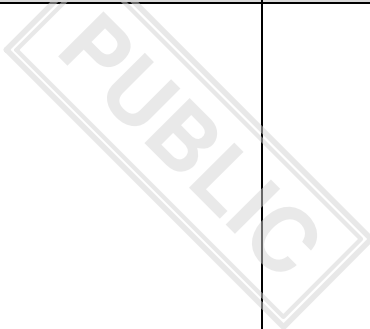
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [PL] proposal | [PL] comments |
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| <p>expressed in the Commission "Repower EU" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p> |               |               |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse of treated wastewater. Member States should therefore regularly monitor and report on such non-domestic pollution that</p>                                                                                                                                                                |               |               |

<sup>6</sup> 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).

<sup>7</sup> 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).

<sup>8</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [PL] proposal                                                                       | [PL] comments |
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| <p>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.</p> |  |               |
| <p><del>(48)</del> <b>(19 bis)</b> 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, 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</p>                                                            |                                                                                     |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [PL] proposal | [PL] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>should be carried out in accordance with Regulation (EU) 2020/741 of the European Parliament and of the Council <sup>9</sup>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>(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.<br/> <u><b>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</b></u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>(29) <del>Additional</del> <u><b>Adequate</b></u> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <u><b>sewer</b></u> overflows and <u><b>polluted</b></u> urban runoff <u><b>discharges. Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</b></u> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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.</p> |               | <p>Poland maintains previous comments regarding quality monitoring, in particular microplastics in urban runoff discharges and storm overflows. PL agrees that the discharge of rainwater and storm overflows should be limited in general and thus the discharge of pollutants to receivers should be limited. However, monitoring the content of microplastics in waters from surface runoff or storm overflows is a task that requires technological and costly solutions, and at the same time it is difficult to determine its commensurability to the achieved environmental benefits. While the 'where relevant' in recital 29 introduces some flexibility, it only applies to storm overflows and is vague/ inaccurate.</p> <p>Moreover, adding of "polluted" before "urban runoff" may create confusion as to when the runoff should be defined as "polluted" and apply the requirements of the Directive. Perhaps a good solution would be to adopt a risk-based</p> |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [PL] proposal | [PL] comments                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------|
| <p>The monitoring will also contribute to provide data for the overall Environmental Monitoring Framework as set up under the 8th Environmental Action Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               | <p>approach to identifying areas where rainwater discharges may pose a threat to the quality of the receiving water.</p> |
| <p>(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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |               |                                                                                                                          |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                                                                          |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [PL] proposal | [PL] comments |
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| wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.                                                                                                                                                                                                                                                                        |               |               |
| <b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity.</b> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                          |               |               |

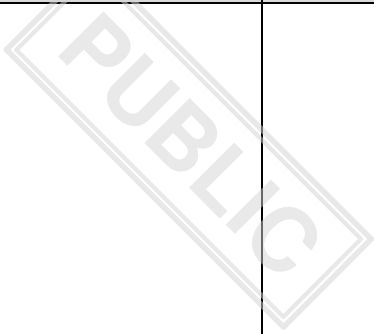
## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                   | [PL] proposal | [PL] comments                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                |               |                              |
|                                                                                                                                                                                                                                                                                                                                                                   |               |                              |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                      |               |                              |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                          |               |                              |
|                                                                                                                                                                                                                                                                                                                                                                   |               |                              |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> and improving the energy balance of urban wastewater collection and treatment activities. It also |               | PL welcomes word replacement |

| New text proposal_Clusters1,3,5                                                                                                                                                    | [PL] proposal | [PL] comments |
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| 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. |               |               |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                           | [PL] proposal | [PL] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                              |               |               |
|                                                                                                                                                                                                                                                           |               |               |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                       |               |               |
|                                                                                                                                                                                                                                                           |               |               |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them</del> ; |               |               |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                              |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [PL] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>(3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b>, which is discharged into <del>collecting systems</del> from premises used for either the following:</p> <p>(a) the exercise of a trade;</p> <p>(b) <del>activities carried out by an institution;</del></p> <p>(c) <del>or</del> industrial <b>or economical</b> activities;</p> <p><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u></p> |                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated (<b>taking as a reference 10 p.e. per hectare or above</b>) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points. <u><b>into receiving waters;</b></u></p>                                                                                  | <p>'agglomeration' means an area where the population (expressed in population equivalent), combined or not with <del>and/or</del> economic activities <del>pollution load of urban wastewater</del> is sufficiently concentrated (<del>taking as a reference 10 p.e. per hectare or above</del>) for urban wastewater to be collected and conducted to one or more <del>an</del> urban wastewater treatment plants or <b>and</b> to a one or more final discharge points. <del>into receiving waters;</del></p> | <p>PL welcomes the removal of the threshold value for determining agglomeration (10 p.e./ha). However, at this point we note that the values are set out in Recital 5, which we have remarks to.</p> <p>PL suggests supplementing the sentence by adding the word "/and" after the word "or", so that it is possible to discharge sewage from the agglomeration to the sewage treatment plant and at the same time to another final drop point. There are several such agglomerations in Poland that discharge wastewater from part of their area to wastewater treatment plants in the agglomeration, and from the rest of the area to another agglomeration that provides the same or a higher level of wastewater treatment. This is mainly for technical reasons (e.g. topography).</p> <p>In addition, it is not clear what happens if a economic activity is conducted (industry) in a non-urbanized area (rural areas)), employing, for example, 1000 employees. Is it the intention of the Directive to designate an agglomeration in such an area?</p> <p>We suggest to clarify the definition or explanation of this issue in the recital of the directive.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                     | [PL] proposal | [PL] comments                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (5) 'urban runoff' means <del>precipitation rainwater</del> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                           |               |                                                                                                                                                                               |
| (6) <del>'sewer storm water overflow'</del> means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                  |               |                                                                                                                                                                               |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                    |               |                                                                                                                                                                               |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <b><u>including urban runoff</u></b> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                               |               |                                                                                                                                                                               |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or</b> either of the following:<br><del>(a) domestic urban wastewater not including urban runoff;</del><br><del>(b) non domestic wastewater</del> <b><u>non-domestic wastewater</u></b> ;<br><del>(c) a mixture of domestic and non-domestic wastewater;</del><br><del>(d) rainwater from agglomerations;</del> |               | It is not clear why the definition of "separate sewer" states that it is a system of conduits ("system from conduits"). After all, separate sewer can function independently. |
| (10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load</del> <b>per day</b> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day</del> <b>per day</b> ;                                                                                                   |               |                                                                                                                                                                               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                           | [PL] proposal                                                                                                                                                                                                                                                                                                                              | [PL] comments                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%. | 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%. | The phrase "before discharge" should be deleted, because primary treatment is not tantamount to a mechanical treatment plant discharging wastewater to a receiving waters, but it can be treated as a preliminary stage of treatment before subsequent stages, as well. |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process which reduces removes most of biodegradable organic matter in from urban wastewater;                                                                                                  |                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                         |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which reduces removes most of by a process which removes nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                         |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which removes reduces a broad spectrum of micropollutants in from the from urban wastewaters;                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                         |
| (14) 'sludge' means any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);                                        | 'sludge' means organic and inorganic residue resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding grit, grease, other debris and any other screenings residues from the pre-treatment step);                                                                                                 | The addition of "other debris" seems redundant.<br><br>However, it is unreasonable to remove wording "screenings" from screens and sieves. These are residues from mechanical treatment and do not qualify as sludge.                                                   |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                             |                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                         |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                              | [PL] proposal | [PL] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b><sup>11</sup>;</p> |               | <p>Scrutiny reservation.</p> <p>According to the proposed definition, all chemical compounds classified as hazardous (about 190,000 substances) would potentially be covered by the micropollutant status. Since it is not indicated that these are substances with a harmonized classification according to Regulation 1272/2008/EC (CLP), the scope is not precise and raises serious doubts. Substances classified according to CLP are also substances that do not have a harmonized classification, but have only been so classified by suppliers, based on the classification used by other suppliers (so-called self-classification; e.g. water that one of the suppliers can be classifies as a corrosive substance). It seems that the definition also covers many substances that, despite the harmonized classification under the CLP Regulation, are readily biodegradable and do not require modernization of urban wastewater treatment plants.</p> <p>According to PL, the list of micropollutants should be clearly defined in the directive (e.g. in Annex III, part 2), and updated by the Commission, based on appropriate criteria (contained, for example, in the specially added Annex III, part 2).</p> |
| <p>(17) 'dilution ratio' means the ratio <del>of between the last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del></p>                                                                                                         |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>(18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;</p>                                                                                                                                                                      |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

<sup>11</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [PL] proposal                                                                                                                                                                                        | [PL] comments                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                 |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                   |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |
| (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; |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time</u> (usually kilogram per day or year).</b>                                                    | 'load' means the amount of organic <b>biodegradable</b> matter measured as BOD5 <b>or COD</b> in urban wastewater, expressed in p.e., or any pollutant or nutrient, expressed in mass unit per time. | Please note that pollutant such as N, P, TSS and others are expressed in mass per time. However, organic carbon is expressed in of oxygen demand equivalent. Thus, we propose to add COD as an important wastewater parameter determining its biodegradability (as the COD:BOD5 ratio) |

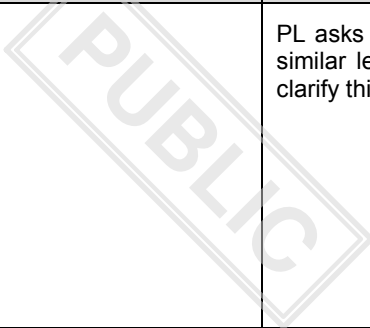
## ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | [PL] proposal | [PL] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                       |               |               |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                           |               |               |
|                                                                                                                                                                                                                          |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |               |               |
| (4); (5); (6)                                                                                                                                                                                                            |               |               |
|                                                                                                                                                                                                                          |               |               |
| 1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements: |               |               |
| <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems;</li> <li>(b) all their sources of <del>domestic</del> urban wastewater are connected to the collecting system.</li> </ul>          |               |               |
|                                                                                                                                                                                                                          |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [PL] proposal | [PL] comments                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>2. <del>Unless they justify a derogation under paragraph 1 of Article 4, By 31 December 2030</del> 2033</b>, Member States shall ensure that <del>all</del> agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |               | <p>Establishing new agglomerations (below 2000 pe), planning, construction new collecting system and connection to this system it will take more than 10 years to. Therefore, we are calling for an extension of the deadline to 2040.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                                                                                                                                                                                            |
| <p><b>3.</b> The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <b>calculated</b> on the <del>basis of the</del> maximum average weekly load <del>entering the treatment plant generated in that agglomeration</del> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p>                                                                                    |               |                                                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                                                                                                                                                                                                                                            |
| <p><b>4</b> <del>3.</del> Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                                                                                                                                                                                                                                            |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [PL] proposal | [PL] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |               |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |

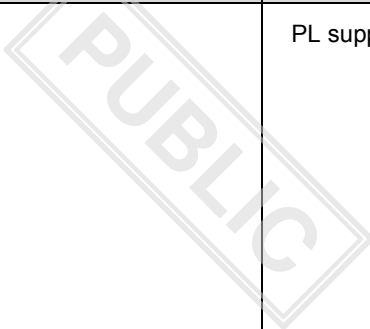
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [PL] proposal                                                                       | [PL] comments                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                                                     |  | <p>PL asks for clarification on what is meant by achieving a similar level of environmental protection. We propose to clarify this in recital 6</p> |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, where individual systems are used are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                                                                                                                                          |                                                                                     |                                                                                                                                                     |
| <p>34. The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2)</b> for establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by {24 months from the entry into force of this Directive}.</b></p> |                                                                                     |                                                                                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |                                                                                                                                                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | [PL] proposal | [PL] comments                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |               | <p>PL welcomes the introduction of clarification in Art. 4 section 5, according to which 2% is calculated in relation to the national level.</p> <p>However, we would like to point out that the current 2% obligation in the first sentence of Article 4 paragraph 5 would not apply to storage tanks. We support the current provision, but it is unclear whether this was the intention.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>f24 months</u> from the entry into force of this Directive</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                                                                                                                                                                                                                                                                                                                                                                                                 |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |                           |                           |
| (7); (8)                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area</u> of agglomerations</b> of 100 000 p.e. and above. |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal                                                           | [Insert MS name] comments             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm-water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  | <p>PL supports adding "polluted".</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                     |                                       |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b><u>each drainage area of</u></b> agglomerations referred to in paragraph 2 |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                 |                           |                           |

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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive</b>.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
| <p>(11) 'secondary treatment'</p>                                                         |                           |                           |

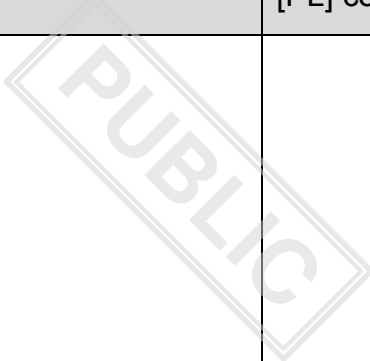
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on</del> <del>[please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on</del> <del>[please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to <del>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                           |                           |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 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. |                           |                           |
|                                                                                                                                                                                                                  |                           |                           |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | [PL] proposal | [PL] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (16)                                                                               |               |               |
|                                                                                    |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [PL] proposal                                                                       | [PL] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [PL] comments                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, at national level, urban wastewater treatment plants treating a load of <del>10 000</del> <b>30 000</b> p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</p> <p>This energy will be produced from urban wastewater resources, on or off-site. <b>A maximum of 25% of eE</b> energy may be produced or purchased from external renewable sources.</p> <p>...</p> | <p>PL maintains its previous position to change 10.000 p.e to 30.000.</p> <p>We question the acceptable amount of renewable energy proposed, not directly related to the treatment of urban wastewater, which can be purchased or produced from external sources - 25%. In our opinion this threshold would be difficult to achieve in many cases.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal                                                                                                                                                                                           | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. | <b>A urban wastewater treatment plant is considered to be in compliance with these provisions if the treated sewage discharged into the receiving water meets the requirements of Table 1 of Part B of Annex I.</b> | PL raised doubts regarding the interpretation of this article. The current position of the EC that sufficient efficiency means that the pe. of the treatment plant (inscribed in the project) has to be identical or higher than the pe. of the agglomeration is in contradiction with commonly used methods of designing wastewater treatment plants (e.g. ATV-131). Therefore, we propose to add the proposed sentence to the article for clarity. |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
| (3) 'non-domestic wastewater'                                                      |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                         |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority or appropriate body.</p> <p><del>Those general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority or appropriate body:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                           | <p>PL thanks o PRES for clarifications for PL on WPE 4<sup>th</sup> September to art. 14 par. 1(c), however for us the current wording of the provision is still unclear.</p> <p>PL asks for explain in text of directive, if this provision refer to new or already existing regulations? Therefore, will existing national regulations (i.e regulations) have to be changed to be consulted with operators?</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

15 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>3. The <del>general binding rules</del> <b>regulations</b> and specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></b></p> |                           |                           |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
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| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>16</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |                           |                           |

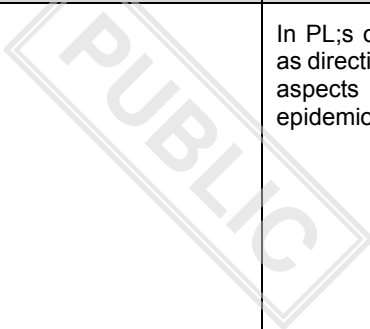
16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | [PL] proposal | [PL] comments |
|------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |               |               |
| (21) 'antimicrobial resistance'                                                    |               |               |
|                                                                                    |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |               |               |
| (22); (23)                                                                         |               |               |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of other <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b>at least in the inlet of</b> urban wastewater <b>treatment plants</b>, such as those in the following list:</p> <ul style="list-style-type: none"> <li><b>(i) SARS-CoV-2 virus and its variants of interest;</b></li> <li><b>(ii) poliovirus;</b></li> <li><b>(iii) influenza virus;</b></li> <li><b>(iv) emerging pathogens;</b></li> <li><b>(v) contaminants of emerging concern;</b></li> <li><b>(v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></li> </ul> <p>(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(a), taking into account thus regarding the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> | <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p><b>21. 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:</b></p> <p><b>(a) the identification of other relevant public health parameters than the ones referred to in paragraph 1 that are to be monitored at least in the inlet of urban wastewater treatment plants, such as those in the following list:</b></p> <ul style="list-style-type: none"> <li><b>(i) SARS-CoV-2 virus and its variants of interest;</b></li> <li><b>(ii) poliovirus;</b></li> <li><b>(iii) influenza virus;</b></li> <li><b>(iv) emerging pathogens;</b></li> <li><b>(v) contaminants of emerging concern;</b></li> <li><b>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</b></li> </ul> <p><b>(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(a), taking into account thus regarding the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</b></p> <p><b>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</b></p> | <p>Monitoring in wastewater of pathogens causing communicable diseases (i.e. SARS-CoV-2 virus and its variants; poliovirus and influenza virus) is one of the method of communicable disease epidemiological surveillance and should be established in close connection with other forms of communicable disease monitoring. Directive on Urban Wastewater Treatment should not be a document to describe a scope and technical aspects concerning communicable disease epidemiological surveillance. Communicable disease surveillance is subject to legislation based on Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU.</p> |
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| New text proposal_Clusters1,3,5                                                                          | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | [PL] comments |
|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b> | <del>platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b></del><br><b>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 the identification of pathogens, contaminants of emerging concern and any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</b> |               |
|                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | [PL] proposal                                                                       | [PL] comments                                                                                                                                                                                     |
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| <p><del>32. 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 relevant public health parameters shall be monitored in urban wastewaters from a representative distribution at least 70 % of the national population. Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population. 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 the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, or during a longer period if deemed useful for other purposes, according to the same competent authority.</del></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control; and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |  | <p>In PL;s opinion all technical aspects should be removed, as directive should not be a document to describe technical aspects concerning communicable disease epidemiological surveillance.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |                                                                                                                                                                                                   |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [PL] comments                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission shall <del>may shall</del> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an a</del> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> | <p>3. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <del>2026</del> <u>[OP please insert the date = the last day of the secondfourth year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission shall <del>may shall</del> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an a</del> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> | <p>PL propose extension of the deadline referred to first subparagraph to 4 year after adoption of the implementing act.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                              |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                              |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | [PL] proposal | [PL] comments |
|-------------------------------------------------------------------------------------------|---------------|---------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |               |               |
| <p>(14) 'sludge'</p>                                                                      |               |               |
|                                                                                           |               |               |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [PL] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [PL] comments                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |
| 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, <b>preparing for</b> reuse, and recycling and <b>other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in accordance with the procedure referred to in Article 27 to <del>supplement this Directive by setting out promoting to set out</del> the minimum reuse and recycling rates for phosphorus and nitrogen from <del>wastewater and</del> sludge, and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take into account available technologies, <b>resources, and economic viability</b> for phosphorus and nitrogen recovery, in sludge and wastewater. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). | The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in accordance with the procedure referred to in Article 27 to <del>supplement this Directive by setting out promoting setting-out</del> <b>set out</b> the minimum <b>reuse preparing for re-use</b> and recycling rates for phosphorus and nitrogen from <del>wastewater and</del> sludge and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take into account available technologies, <b>resources, and economic viability</b> for phosphorus and nitrogen recovery, in sludge and wastewater. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). | PL propose to use the nomenclature analogy with Article 20(1). |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments                                                                          |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                    |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                                                                                                    |
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| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and; this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u></b>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> |                           | <p>In PL's opinion wording "where appropriate" need clarification to make it more precise (d).</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies <b>in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> |                           |                           |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture**.

~~4.~~ The monitoring referred to in ~~the first and second sub~~ **this** paragraphs **3** shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more above~~;

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> 6 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.                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |



**5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:**

**(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:**

**(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:**

**(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if**

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| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                           |                           |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] comments                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> | <p><del>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</del></p> <p><del>(a) they have a sufficient interest;</del></p> <p><del>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</del></p> <p><del>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</del></p> <p><del>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.</del></p> | <p>We agree with i.e NL and CZ to delete this Article, because it is already regulated in the Aarhus treaty. (NL's remarks from WK 8363/2023 INIT).</p> |
| 2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <del>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | We agree with i.e NL to delete this Article, because it is already regulated in the Aarhus treaty. (NL's remarks from WK 8363/2023 INIT).               |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 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.                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>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.</del> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |
| <del>5</del> 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                           |                           |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |

| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                           |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                           |                           |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                           |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                           |                           |
| (42); (43)                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                              |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedial shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedial <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> .                   |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.



| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                    |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p> |                           | <p>The directive provides for the collection of 24 or 48-hour samples testing for wastewater proportional to flow or to time. However, there are treatment plants where the discharge of wastewater is periodic and takes place, for example, once or several times a day.</p> <p>Therefore, in PL's opinion, it is reasonable to specify in the directive, the <b>method of taking samples for testing</b> in such cases, to enable the authorities issuing water permits/authorisations to properly determine the conditions for taking measurements, and control authorities - to make a proper assessment of compliance with the conditions for the discharge of wastewater into waters or into the ground for these treatment plants.</p> <p>In PL's opinion, the directive should provide clear guidelines as to whether or not to take into account the uncertainty of the measurements. If uncertainty is to be taken into account, the EU level should define at what maximum uncertainty the result can be accepted too correct.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p>                                                                                                                                                                                                                                                                        |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|---------------------------|
| <div> <div>— 1000 to 9 999 p.e.:</div> <div>One sample per month (<b>see Note 1</b>)</div> </div> <div> <div>— 10 000 to 49 999 p. e.:</div> <div>Two samples per month<br/>For micropollutants, one sample per month</div> </div> <div> <div>— 50 000 p.e. <b>or above</b><br/>to 99 999 p.e.:</div> <div>One sample per week<br/>For micropollutants, two samples per week <b>month</b>.</div> </div> <div> <div>— 100.000 p.e. or over:</div> <div>One <del>Two</del> samples per day <b>week</b><br/>For <del>micropollutants, two</del> <b>one</b> sample per week</div> </div>                                                                                                                              |  |                           |                           |
| <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                           |                           |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total</p> |  |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>5. The samples shall be taken so that they reflect the pollution during dry weather <b>flow conditions</b>. Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain.</p>                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                           |                           |
|                                                                                           |                           |                           |

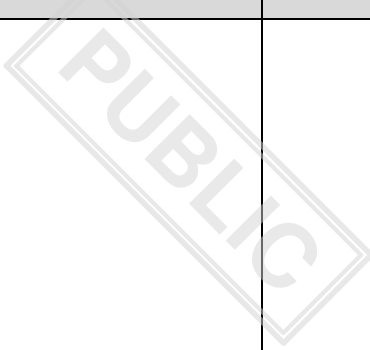


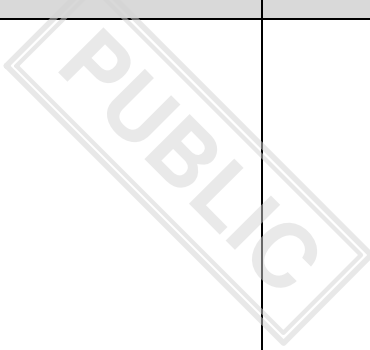
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages<br>8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

**ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS**

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           | <p>Again, doubts arise from the requirement for a wide spectrum of analyzes in plans for overflows from surface runoff, e.g. hydraulic or qualitative models, and the assessment of the impact of pollutants, including microplastics and micropollutants, from overflows in the event of rainfall, as well as assessment of their impact on the environment and drinking water (e.g. if the receiver is an inflow to the Vistula River, does this issue also have to be taken into account).</p> <p>Furthermore, the Directive does not contain reference methods for testing microplastics. PL suggests mentioning these methods in the Directive.</p> |
| <p>1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:</p> <p>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>(b) a dynamic analysis of the flows of urban runoff, <b>polluted urban runoff</b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p> |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>2. Objectives for the reduction of pollution from <del>storm water</del> <b>sewer</b> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water</del> <b>sewer</b> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative</del> <b>target-objective</b> shall <del>should</del> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers</del> <b>collection networks</b>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> <del>of receiving waters</del>;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |  |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |                           |
| <p>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 <del>implementation</del> <b>implementation</b> of the integrated plan.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |                           |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal                                                           | [Insert MS name] comments |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |  |                           |

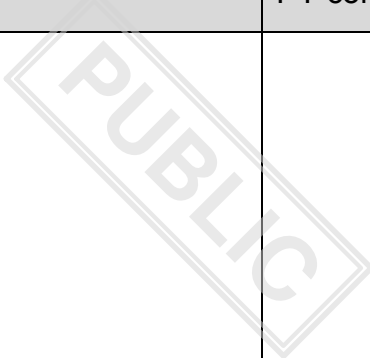
## PORTUGAL

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | PT proposal | PT comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | PT proposal | PT comments |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| (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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.                                                                                                                                                                                 |             |             |
| (6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del> . 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 |             |             |

<sup>1</sup> 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).

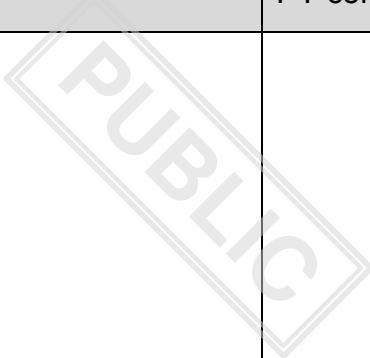
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PT proposal                                                                         | PT comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |             |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PT proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PT comments                                         |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p> | <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island. Consideration should be given to the specific situation of the Union's outermost regions, as listed in Article 349 of the Treaty on the Functioning of the European Union (TFEU), due to its remoteness, insularity, pronounced topographical unevenness, population dispersion, lack of available territory, and to the characteristics of the open ocean into which urban wastewater from agglomerations of less than 150 000 p.e in Outermost Regions is discharged, particularly in the case of the profound and oligotrophic marine waters of the Atlantic Ocean. The most appropriate level of treatment should be applied to achieve the objectives of this Directive, considering the environmental and public health benefits, as well as technical and financial viability, duly supported by scientific studies.</u></b></p> | <p>According to proposal included in article 6.</p> |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                     |

<sup>2</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PT proposal | PT comments |
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| <p>detected <u>usually</u> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b>low concentrations of micrograms per litre or below</b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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 micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |             |             |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PT proposal                                                                         | PT comments |
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| <p>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 Council<sup>3</sup>, by those urban wastewater treatment plants. <u><b>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</b></u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency</p> |  |             |

<sup>3</sup> 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).

<sup>4</sup> 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).

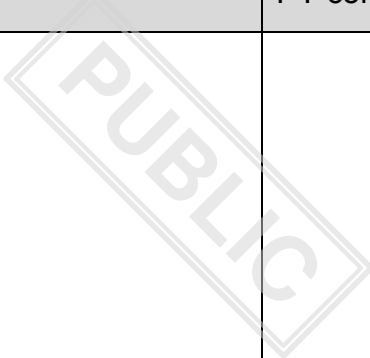
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PT proposal | PT comments |
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| <p>measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p> |             |             |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |

<sup>5</sup> 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.

<sup>6</sup> 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).

<sup>7</sup> 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).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PT proposal                                                                         | PT comments |
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| <p><b>medical facilities, etc.</b> 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 reuse 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.</p> |  |             |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PT proposal | PT comments |
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| 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 Council <sup>9</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>(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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. The monitoring frequencies should be aligned to the current best practices, as currently practiced in Switzerland. To remain cost-effective, those</p> |             |             |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PT proposal | PT comments |
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| 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
| (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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council <sup>10</sup> . |             |             |
| (39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | PT proposal | PT comments |
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| systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.                                                                                                                                                                                                                         |             |             |
| <b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity.</b> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                         | [PT] proposal | [PT] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                      |               |               |
|                                                                                                                                                                                                                                                                                                         |               |               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                            |               |               |
| (2); (3)                                                                                                                                                                                                                                                                                                |               |               |
|                                                                                                                                                                                                                                                                                                         |               |               |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to sustainable levels</del> and improving the energy balance of |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                  | [PT] proposal | [PT] comments |
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| 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. |               |               |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                       | [PT] proposal | [PT] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                          |               |               |
|                                                                                                                                                                                                                                                       |               |               |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                   |               |               |
|                                                                                                                                                                                                                                                       |               |               |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them</b> ; |               |               |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services and institutions</del> which originates predominantly from the human metabolism and/or from household activities;                                          |               |               |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [PT] proposal | [PT] comments |
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| <p>(3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b>, which is discharged into <del>collecting systems</del> from premises used for either the following:</p> <p>(a) the exercise of a trade;</p> <p>(b) <del>activities carried out by an institution;</del></p> <p>(c) <del>or</del> industrial <b>or economical</b> activities;</p> <p><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u></p> |               |               |
| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater</del> is sufficiently concentrated (<b>taking as a reference 10 p.e. per hectare or above</b>) for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points. <u>into receiving waters;</u></p>                                                                                  |               |               |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <b>into</b> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall;</del></p>                                                                                                                                                                                                                                                                                                                                                                                         |               |               |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |
| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <b>including urban runoff; including urban runoff;</b></p>                                                                                                                                                                                                                                                                                                                                                                                                     |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                    | [PT] proposal | [PT] comments |
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| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p><del>(a) domestic urban wastewater not including urban runoff;</del></p> <p><del>(b) non-domestic wastewater <b>non-domestic wastewater</b>;</del></p> <p><del>(c) a mixture of domestic and non-domestic wastewater;</del></p> <p><del>(d) rainwater from agglomerations;</del></p> |               |               |
| <p>(10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load</del> <b>per day</b> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day</del> <b>per day</b>;</p>                                                                                                            |               |               |
| <p>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</p>                                                                                   |               |               |
| <p>(11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <b>which reduces removes most of biodegradable organic matter in from</b> urban wastewater;</p>                                                                                                                                                                             |               |               |
| <p>(12) 'tertiary treatment' means treatment of urban wastewater by a process which <b>reduces removes most of</b> <del>by a process which removes</del> nitrogen and/or phosphorus from the urban wastewaters;</p>                                                                                                                                                                                                                                |               |               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | [PT] proposal | [PT] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;                                                                                                                                                                                                          |               |               |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <b>organic residue and inorganic sludge-residue</b> resulting from the treatment of urban wastewater <b>in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</b>                                                                             |               |               |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |               |               |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |               |               |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <b>and to the last five years average of the annual discharge</b> volume of urban wastewater <b>into surface waters; discharged from a treatment plant;</b>                                                                                             |               |               |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | [PT] proposal | [PT] comments |
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| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                     |               |               |
| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                 |               |               |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                   |               |               |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |               |               |
| (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; |               |               |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |               |               |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |               |               |
| (25) <b>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                           |               |               |

## ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | PT proposal | PT comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                       |             |             |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                           |             |             |
|                                                                                                                                                                                                                          |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |             |             |
| (4); (5); (6)                                                                                                                                                                                                            |             |             |
|                                                                                                                                                                                                                          |             |             |
| 1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e.</del> and above comply with the following requirements: |             |             |
| <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems;</li> <li>(b) all their sources of <del>domestic</del> urban wastewater are connected to the collecting system.</li> </ul>          |             |             |
|                                                                                                                                                                                                                          |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | PT proposal | PT comments |
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| <p><del>2. Unless they justify a derogation under paragraph 1 of Article 4, By 31 December 2030</del> <b>2033</b>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</del></p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p><b>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</b></p>                                                                                                                            |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p><b>4</b> <del>3.</del> Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if</b> the establishment of <b>or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>urban-domestic</del> <b>urban</b> wastewaters ('individual systems') are used <del>for in</del> <b>for in agglomerations of 1 000 p.e. and above</b>.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | PT proposal                                                                                                                                                                                          | PT comments                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                                                                                           |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                    |
| <p>3. [NEW] Member States shall ensure that <b>individual systems that are used</b> in agglomerations of 1 000 p.e. and above, where individual systems are used are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <del>or other means of</del> <b>regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level.</del></p>                                                                                                                                                                                                |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                    |
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2) for establishing minimum requirements for:</b></p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3,</del> <b>on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by {24 months from the entry into force of this Directive}.</b></p> | <p>4. ...</p> <p>(b) the regular inspections referred to in paragraph 3, <b>on the basis of a risk-based approach and considering the specific hydro-geological conditions for groundwaters.</b></p> | <p>We highlight that if the methodology developed is too complex, it may not be feasible. On the other hand, the risk of these systems is essentially for groundwater, whose specificity may justify the adoption of regional criteria. Therefore, it is suggested that this possibility is specified, in line with the Groundwater Directive.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                    |

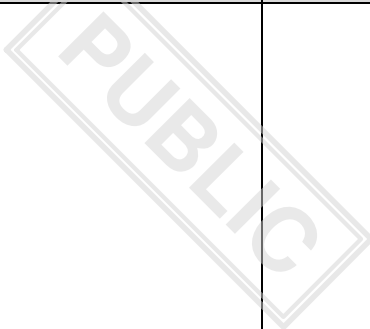


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>124 months</u> from the entry into force of this Directive.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                           | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                             |             |             |
|                                                                                                                                                                                                                                 |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |             |             |
| (7); (8)                                                                                                                                                                                                                        |             |             |
|                                                                                                                                                                                                                                 |             |             |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each <u>drainage area</u> of agglomerations</b> of 100 000 p.e. and above. |             |             |
|                                                                                                                                                                                                                                 |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PT proposal                                                                         | PT comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <del>2030</del> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b><u>each drainage area of</u></b> agglomerations referred to in paragraph 2 |             |             |
|                                                                                                                                                                                                                                 |             |             |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                           |             |             |
|                                                                                                                                                                                                                                 |             |             |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                         |             |             |
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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PT proposal                                                                                                                                                                                                                                       | PT comments                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive</b>.</p> | <p>6. ...</p> <p>(b) provide methodologies for the determination of alternative indicators, <b>such as volume-based</b>, to verify whether the indicative objective of pollution reduction referred to in point 2 (a) of Annex V is achieved;</p> | <p>Is considered that the change made in recital 36, giving COM the possibility to suggest indicators supported in volume, should be introduced in this article.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |                                                                                                                                                                      |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(11) 'secondary treatment'</p>                                                         |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | PT proposal                                                                                                                                                                                                                                                                                                                                                                                                 | PT comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> <del>urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</del></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on [please insert the date = date if entry into force of this directive];</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p><del>(b) For</del> For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on [please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> | <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in <b>seven twelve years</b> after the on [please insert the date = date if entry into force of this Directive] <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> | <p>In line with revised deadlines introduced along the proposal, an adequate timeframe should be given for agglomerations located in current less sensitive areas, considering the technical limitations which will imply finding technical and urban planning solutions, and adequate financing. It would therefore be important to align with the next structural funding period. The monitoring and evaluation reporting that is now carried out would continue to be guaranteed during the transition period.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PT proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PT comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to <del>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     | <p>3. <u>Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures and discharges into open ocean from agglomerations of less than 150 000 p.e in Outermost Regions where this level of treatment would produce no significant environmental or health benefit may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p> | <p>The same principle of the derogation foreseen for the mountain regions should be applied to the outermost regions where, due to its remoteness, insularity, pronounced topographical unevenness, population dispersion, lack of available territory, open and profound sea into which urban wastewaters are discharged and to the oligotrophic marine waters of the Atlantic Ocean, where studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

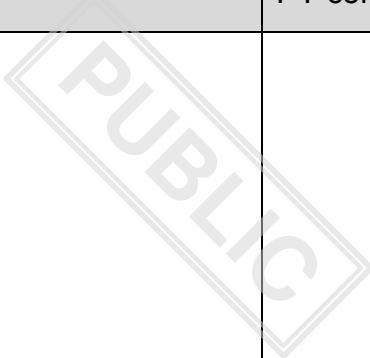
| New text proposal_Clusters1,3,5                                                                                                                                                                                  | PT proposal | PT comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 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. |             |             |
|                                                                                                                                                                                                                  |             |             |

# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | PT proposal | PT comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (16)                                                                               |             |             |
|                                                                                    |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PT proposal | PT comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PT proposal                                                                         | PT comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------|
| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> |  |             |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |             |             |
|                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |             |             |
| (18)                                                                                                                                                                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |             |             |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | PT proposal | PT comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
| (3) 'non-domestic wastewater'                                                      |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | PT proposal | PT comments                                                              |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |                                                                          |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |                                                                          |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p><del>Those general binding rules</del> <b>prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</b></p> <p><del>Where general binding rules</del> <b>regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants,</b> Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <b>and informs</b> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <b><u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></b></p> |             | PT agrees with the replacement of “general binding rules” by regulations |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |

<sup>15</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>3. The <del>general binding rules</del> <b>regulations</b> and specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</b></p> |             |             |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                           |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <p>2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>16</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |             |             |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | PT proposal | PT comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
| (21) 'antimicrobial resistance'                                                    |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (22); (23)                                                                         |             |             |
|                                                                                    |             |             |



~~1. Member States shall monitor the presence of the following public health parameters in urban wastewater:~~

~~(a) SARS-CoV-2 virus and its variants;~~

~~(b) poliovirus;~~

~~(c) influenza virus;~~

~~(d) emerging pathogens;~~

~~(e) contaminants of emerging concern;~~

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

21. 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:

(a) the identification of ~~other~~ **relevant** public health parameters ~~than the ones referred to in paragraph 1~~ that are to be monitored **at least in the inlet of** urban wastewater **treatment plants**, such as those in the following list:

**(i) SARS-CoV-2 virus and its variants of interest;**

**(ii) poliovirus;**

**(iii) influenza virus;**

**(iv) emerging pathogens;**

**(v) contaminants of emerging concern;**

**(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;**

(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(a), ~~taking into account~~ **thus regarding** the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;

(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PT proposal | PT comments |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |
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| <p><del>32. 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</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |             |             |
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<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | PT proposal | PT comments |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

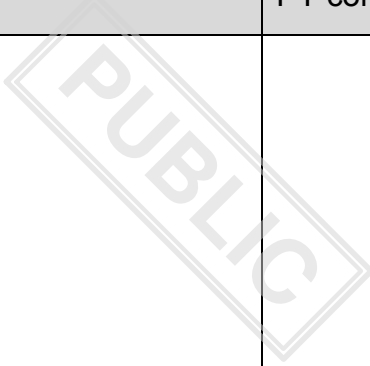
| New text proposal_Clusters1,3,5                                                           | PT proposal | PT comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(14) 'sludge'</p>                                                                      |             |             |
|                                                                                           |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | PT proposal | PT comments |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| 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, <b>preparing for</b> reuse, <del>and recycling and other material recovery</del> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |             |             |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | PT proposal | PT comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PT proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PT comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <del>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</del></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> | <p>1. Member States shall ensure that ...</p> <p>(c) <b>quantities per year and per month of urban wastewater reused in irrigation agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> | <p>(c) Regrading the demand for monitor “the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater”, we consider that, despite being feasible to calculate, <b>it to be extremely demanding to comply due to the</b> “monthly water and nutrient demand” vary depending on the type of culture, cycle and growth phase, climate, soil... An ISO standard (ISO 16075, part 6) is in the final phase (editorial review) to define how this balance can be made.</p> <p>Given the complexity involved, it is not clear why to exclude the irrigation from other types of non-agricultural cultures, such as public gardens or playing fields, including golf courses where the use of urban wastewater for irrigation can have great expression.</p> <p>This hypothesis is also not excluded from the scope of Regulation 2020/741/EU, in accordance with the respective recitals.</p> <p>Additionally, it is being developed (in a initial phase, Working Draft Standard) a specific standard for golf courses and sports fields irrigated with reclaimed, which includes the specificities of fertilization (ISO 16075, part 7).</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PT proposal                                                                         | PT comments |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  |             |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> <p><del>4.</del> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6-7</del> months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and <del>more</del> <b>above</b>;</p> | <p>“ ...</p> <p>(c) the presence of microplastics.</p> <p><b>Pollutants listed under points (a) and (b) should be selected according the results of risk assessment and may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters and/or when not feasible to measure. I case of metals, should always be analysed the dissolved fractions.</b></p> | <p>3.</p> <p>The list of pollutants to monitor could derive from the proposed lists but it should result from the risk assessment process, in the same way as proposed in the Directive (EU) 2020/2184 about the quality of water intended for human consumption and only in parameters that apply to “water matrix” and not biota, sediments, air, soils or wastes.</p> <p>For example, the PRTR defines “total metal”, but Directive 2000/60/EC establishes “dissolved metal”, which is much more appropriated to water to measure its bioavailability.</p> <p>For example, not all the parameters listed in the Regulation (EC) N° 166/2006 are of concern to urban wastewaters.</p> <p>On another end, the monitoring programs should be defined according the risk assessment, as already said and also taken into account other similar procedures under other directives, such as WFD and DW</p> <p>We suggest clarifying the text and not just consider the exclusion based on monitoring results.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PT proposal | PT comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</b></p> <p><b>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</b></p> |             |             |
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## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | PT proposal | PT comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PT proposal | PT comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
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| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | PT proposal | PT comments |
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| 3. Member States shall update their national implementation programmes at least every <del>5</del> 6 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.                                                                                                                                                                   |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |

**5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:**

**(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:**

**(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:**

**(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if**

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| New text proposal_Clusters1,3,5                                                                                                                    | PT proposal | PT comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |             |             |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | PT proposal | PT comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (34)                                                                               |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | PT proposal | PT comments |
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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | PT proposal | PT comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PT proposal | PT comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
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| 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.                                                                                                                        |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <del>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.</del> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                       | PT proposal | PT comments |
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| <del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del>                                                                                                          |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <del>5</del> 3. Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years</del> . Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |             |             |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | PT proposal | PT comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (35)                                                                               |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |             |             |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | PT proposal | PT comments |
|------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |             |             |
|                                                                                                                  |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |             |             |
| (36)                                                                                                             |             |             |
|                                                                                                                  |             |             |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |             |             |

| New text proposal_Clusters1,3,5                                                                     | PT proposal | PT comments |
|-----------------------------------------------------------------------------------------------------|-------------|-------------|
| implementation of the directive on urban wastewater treatment.                                      |             |             |
|                                                                                                     |             |             |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |             |             |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c) (b) the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</del></p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
|                                                                                           |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PT proposal | PT comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                        |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |             |             |
|                                                                                                                                                                                                                                        |             |             |
| 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. |             |             |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |             |             |
|                                                                                                                                                                                                                     |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |             |             |
| (42); (43)                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                     |             |             |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |             |             |
|                                                                                                                                                    |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |             |             |
|                                                                                                                                                    |             |             |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |             |             |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |             |             |
|                                                                                                                                                                                                   |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |             |             |
|                                                                                                                                                                                                   |             |             |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |             |             |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |             |             |



## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | PT proposal | PT comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |             |             |
|                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                              |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | PT proposal            | PT comments                                                |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedica <b>from being released into receiving waters</b> <del>the environment</del> .                          |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters             | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration          | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | PT proposal | PT comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC      |             |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |             |             |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |             |             |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |             |             |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PT proposal                                               | PT comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> | Table 4: Requirement for samples                          |             | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | PT proposal | PT comments |
|---------------------------------|----|-------------|-------------|
| 172-187                         | 14 | PUBLIC      |             |
| 188-203                         | 15 |             |             |
| 204-219                         | 16 |             |             |
| 220-235                         | 17 |             |             |
| 236-251                         | 18 |             |             |
| 252-268                         | 19 |             |             |
| 269-284                         | 20 |             |             |
| 285-300                         | 21 |             |             |
| 301-317                         | 22 |             |             |
| 318-334                         | 23 |             |             |
| 335-350                         | 24 |             |             |
| 351-365                         | 25 |             |             |

### C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | PT proposal | PT comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |             |             |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | PT proposal | PT comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |             |             |
|                                                                                                                                                                             |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |             |             |
| (12)                                                                                                                                                                        |             |             |
|                                                                                                                                                                             |             |             |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PT proposal                                                                        | PT comments                                |                           |                                                                        |                                                             |                                                                                    |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------|---------------------------|------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                            |                                                                                    |                                            |                           |                                                                        |                                                             |                                                                                    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                    |                                            |                           |                                                                        |                                                             |                                                                                    |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                                         |                                                                                    |                                            |                           |                                                                        |                                                             |                                                                                    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                    |                                            |                           |                                                                        |                                                             |                                                                                    |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/><br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/><br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                              | One sample per month ( <b>see Note 1</b> ) | — 10 000 to 49 999 p. e.: | Two samples per month<br><br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br><br>For micropollutants, two samples per week <b>month.</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per month ( <b>see Note 1</b> )                                         |                                            |                           |                                                                        |                                                             |                                                                                    |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Two samples per month<br><br>For micropollutants, one sample per month             |                                            |                           |                                                                        |                                                             |                                                                                    |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | One sample per week<br><br>For micropollutants, two samples per week <b>month.</b> |                                            |                           |                                                                        |                                                             |                                                                                    |  |  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | PT proposal | PT comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------|-------------|
| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |             |             |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | PT proposal | PT comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |             |             |
|                                                                                                                                                                                                                                                                           |             |             |
| 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.                                                 |             |             |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | PT proposal | PT comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |             |             |
|                                                                                                                                                                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                    |             |             |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                           | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |             |             |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PT proposal | PT comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PT proposal | PT comments |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) <del>an indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PT proposal | PT comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |             |             |

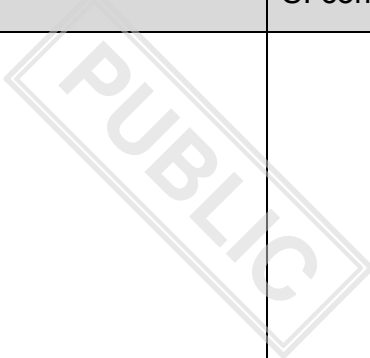
## SLOVENIA

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SI proposal | SI comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SI comments                                                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                 |
| <p>(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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> When delineating their agglomerations, Member States should take into account the <b><u>indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                           | <p>(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 <b><u>one or more than one</u></b> centralised collecting systems, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> When delineating their agglomerations, Member States should take into account the <b><u>indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting such</del> systems are already in place, Member States should ensure that <b><u>all</u></b> sources of urban wastewater are connected to them.</p> | <p>It should be enabled that more than one collecting system is possible for one agglomeration (for example, half of agglomeration could be equipped / served with one, and the other half with another collecting system).</p> |
| <p>(6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible</u></b>, or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del>. 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</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                 |

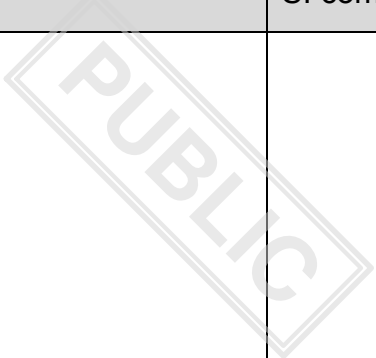
<sup>1</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | SI proposal                                                                         | SI comments                                                                                                                        |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                    |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     | <p>We suggest to use the wording “catchment area of the agglomerations” and to include this term into article 2 - definitions.</p> |

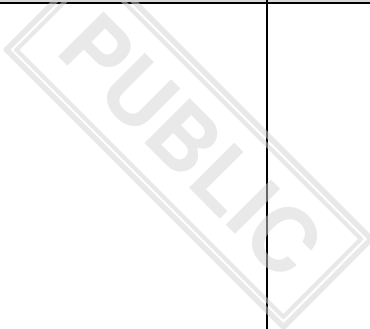


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal | SI comments |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                                   |             |             |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <del>small quantities</del> <b><u>low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |             |             |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SI proposal                                                                         | SI comments |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |  |             |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                                                                                     |             |

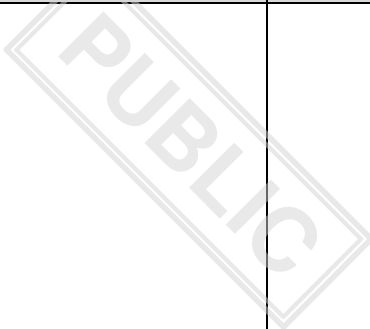
<sup>3</sup> Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SI proposal                                                                         | SI comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is</p> |  |             |

<sup>4</sup> 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).

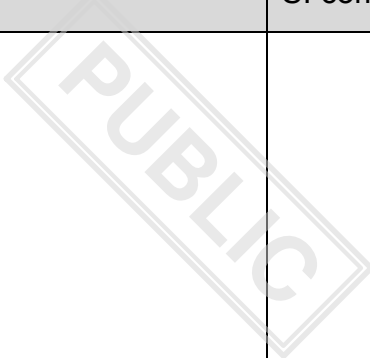
<sup>5</sup> Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond.

<sup>6</sup> 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).

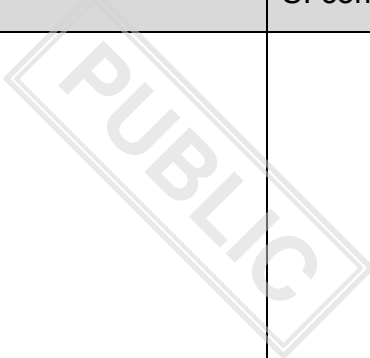
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SI proposal                                                                         | SI comments |
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| <p>also in line with Directive (EU) 2018/844 of the European Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                  |  |             |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                                                                                     |             |

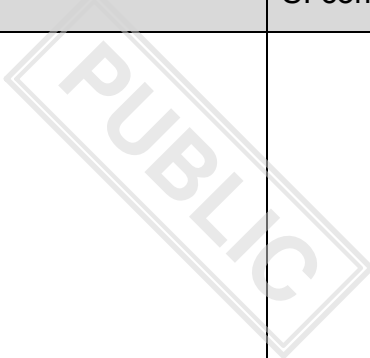
<sup>7</sup> Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | SI proposal                                                                         | SI comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                        |  |             |
| <p>(18) <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                     |             |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SI proposal                                                                         | SI comments |
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| <p>(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.<br/> <b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |             |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     |             |
| <p>(36) In order to ensure uniform conditions for the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SI proposal                                                                         | SI comments |
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| <p>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, <u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |  |             |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                     |             |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |             |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                     | SI proposal | SI comments |
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| regions. In terms of urban wastewater treatment of these territories, special attention should be given to the difficult topography and insularity. |             |             |
|                                                                                                                                                     |             |             |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to sustainable levels</del> 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. | This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health <b>by progressive reduction of emissions to water and soil</b> while <b>contributing also to</b> progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> and improving the energy balance of urban wastewater collection and treatment activities. It also lays down rules <del>on access to sanitation, on transparency of the urban wastewater sector and on the regular surveillance of public health relevant parameters in urban wastewaters.</del> | <p>We miss the reference to zero-pollution objectives</p> <p>We support the idea of urban wastewater surveillance in relation to public health parameters in urban wastewater. However, this directive is not the right place to regulate such requirements.</p> <p>Although we support the overall objective on access to sanitation and SDG6, as well as surveillance of public health relevant parameters in urban wastewaters, we are of the opinion, that those requirements go beyond the scope of this Directive as they address human rights and health sector and also interfere with spatial planning and construction rules. In our opinion those requirements do</p> |



| New text proposal_Clusters1,3,5 | SI proposal | SI comments                                                                        |
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|                                 |             | not fit in environmental legislation and should therefore, be addressed elsewhere. |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                         | SI proposal | SI comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                            |             |             |
|                                                                                                                                                                                                                                                                         |             |             |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                                                         |             |             |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them</b> ; |             |             |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and</del> services <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                     |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI comments                                                                                                                                                                            |
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| <p>(3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b>, which is discharged <del>into collecting systems</del> from premises used for either the following:</p> <p>(a) the exercise of a trade;</p> <p>(b) <del>activities carried out by an institution;</del></p> <p>(c) <del>or industrial or economical activities;</del></p> <p><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u></p> | <p>(3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b>, which is discharged <del>into collecting systems</del> from premises used for either the following:</p> <p>(a) the <del>exercise</del> <b>activities</b> of a trade;</p> <p>(b) <del>activities carried out by an institution;</del></p> <p>(c) <del>or industrial or economical activities;</del></p> <p><u>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</u></p> | <p>It is not clear what is meant by "exercise". We propose to use "activities" as it is the case in other bulletpoints.</p>                                                            |
| <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with <del>and/or</del> economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above) for urban wastewater to be collected and conducted to one or more an urban wastewater treatment plants or to a one or more final discharge points.</del> <b><u>into receiving waters;</u></b></p>                                                                                         | <p>(4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with <del>and/or</del> economic activities services or institutions referred to in points (2) and (3)</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above) for urban wastewater to be collected and conducted to one or more an urban wastewater treatment plants or to a one or more final discharge points.</del> <b><u>into receiving waters;</u></b></p>                                                           | <p>Please find below our previous comments on this point:</p> <p>We propose to amend the text - not only economic but also other activities are referred to in points (2) and (3).</p> |
| <p>(5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                        |
| <p>(6) '<del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall;</del></p>                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                        |
| <p>(7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>(7) 'collecting system' means a system of conduits, <b>and related technological assemblies and devices connected to the system</b>, which collects and conducts urban wastewater;</p>                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Please find below our previous comments on this point:</p> <p>We propose to amend the text</p>                                                                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                    | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>(8) 'combined sewer' means a <b>single</b> conduit <del>that that</del> <b>designed to</b> collect and conducts urban wastewater <b>including urban runoff</b>; <del>including urban runoff</del>;</p>                                                                                                                                                                                                                                          | <p>(8) 'combined sewer' means a <b>single conduit collecting system</b> <del>that that</del> <b>designed to</b> collect and conducts urban wastewater <b>including urban runoff</b>; <del>including urban runoff</del>;</p>                                                                                                                                                                                                                                          | <p>Please find below our previous comments on this point:</p> <p>Based on the proposed change we understand, that the collecting system that collects and conducts the mixture of domestic and non-domestic wastewater (no urban runoff) should be considered as 'combined sewer'. Is this interpretation correct?</p> <p>We would prefer definition of combined sewer in such a way, that it conducts such urban wastewater that always includes urban runoff. Hence, we propose:</p> <p>"combined sewer" means a collecting system that collects and conducts urban wastewater that includes urban runoff.</p> <p>With such definition it would be clear, that urban wastewater that is a mixture of domestic and non-domestic wastewater is collected and conducted through separate collecting system.</p> |
| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p><del>(a) domestic urban wastewater not including urban runoff;</del></p> <p><del>(b) non-domestic wastewater <b>non-domestic wastewater</b>;</del></p> <p><del>(c) a mixture of domestic and non-domestic wastewater;</del></p> <p><del>(d) rainwater from agglomerations;</del></p> | <p>(9) 'separate sewer' means a <b>system of conduits collecting system</b> that separately collects and conducts <b>either urban runoff or either of the following</b>:</p> <p><del>(a) domestic urban wastewater not including urban runoff;</del></p> <p><del>(b) non-domestic wastewater <b>non-domestic wastewater</b>;</del></p> <p><del>(c) a mixture of domestic and non-domestic wastewater;</del></p> <p><del>(d) rainwater from agglomerations;</del></p> | <p>In our understanding individual "separate sewers" are connected through a "system of conduits" into a "collecting system". The same goes for combined sewer. We suggest aligning both definitions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                           | SI proposal                                                                                                                                                                                                                                                                                                                | SI comments                                                                                                                                                                                                                                                                                                                                                                                                   |
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| (10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load</del> <b>per day</b> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day per day</del> ;                                | (10) '1 population equivalent' or '(1 p.e.)' means <b>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is</b> the organic biodegradable load <del>per day</del> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day per day</del> ; | Please find below our previous comments on this point:<br><br>We do not support the proposed deletion. The provision from existing directives should be used, that it is an approximation of the load of 1 person per day, should be kept.<br><br>Alternatively, it could be explained in the recital.<br><br>It is not appropriate to change the principle after decades of implementation of the directive. |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%. |                                                                                                                                                                                                                                                                                                                            | Please find below our previous comments on this point:<br><br>We support inclusion of the definition; however, we keep scrutiny reservation on the proposed percentages.                                                                                                                                                                                                                                      |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <u>which reduces removes most of biodegradable organic matter in from</u> urban wastewater;                                                                                           | (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <b>which reduces removes most of suspended solids and biodegradable organic matter in from</b> urban wastewater;                                       | Please find below our previous comments on this point:<br><br>Welcome and support. To align definition of 'secondary treatment' with the 'tertiary treatment'.<br><br>We propose to amend the text by adding "suspended solids and".                                                                                                                                                                          |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <b>reduces removes most of</b> <del>by a process which removes</del> nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                              | (12) 'tertiary treatment' means <b>appropriate</b> treatment of urban wastewater by a process which <b>reduces removes most of</b> <del>by a process which removes</del> nitrogen and/or phosphorus from the urban wastewaters;                                                                                            | Please find below our previous comments on this point:<br><br>We would propose to include the principle of 'appropriate treatment' linked to achievement of environmental objectives for water as it is the case in the current directive.                                                                                                                                                                    |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b>reduces</b> a broad spectrum of micropollutants <del>in from the</del> <b>from</b> urban wastewaters;                                                                                                                                            |                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                               |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | SI proposal                                                                                                                                                                                                                                                                                                            | SI comments                                                                                                                                                                                           |
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| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <b>organic residue and inorganic sludge residue</b> resulting from the treatment of urban wastewater in an <b>urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step)</b> ;                                                                            |                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                       |
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                       |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                                                                                                                                                                                                                                                                                                                        | Scrutiny reservation.                                                                                                                                                                                 |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                           | (17) 'dilution ratio' means the ratio <del>of between the at least last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del> | Please find below our previous comments on this point:<br><br>Flexibility is needed to enable Member States to continue using the relevant statistical values as defined in the national legislation. |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                        | Scrutiny reservation.                                                                                                                                                                                 |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | SI proposal                                                                                                                                                                                                                                                                                                                                                                 | SI comments                                                                                                                                                                                                                 |
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| (19) 'Producer Responsibility Organisation' means an <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                 | (19) 'Producer Responsibility Organisation' means an <b>nationally <del>recognised</del> authorised organisation legal entity</b> established collectively by producers <b>for the purpose of fulfilling their that financially organises the fulfilment of extended producer responsibility</b> obligations under Article 9 <b>and 10 on behalf of several producers</b> ; | Scrutiny reservation.<br><br>Please find below our previous comments on this point:<br><br>We propose to align the definition as much as possible with the one used in the recently agreed text of the Batteries Regulation |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                             |
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                             |
| (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; |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                             |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                             |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           | (24) 'placing on the market <b>of the Member State</b> ' means the first making available of a product on the market of a Member State;                                                                                                                                                                                                                                     | Please find below our previous comments on this point:<br><br>To avoid confusion in relation to Marker Surveillance - there the definition of "placing on the market" has different meaning.                                |
| (25) ' <b>load</b> ' means the amount of <b>organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time</b> (usually kilogram per day or year).                                                  |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                             |

## ARTICLE 3 – COLLECTING SYSTEMS AND ~~CALCULATION~~ OF THE LOAD ~~EXPRESSED IN P.E~~ OF AGGLOMERATIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                  | SI proposal                                                                                              | SI comments                                                                                                                                                                                                                                                                                   |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                               |                                                                                                          |                                                                                                                                                                                                                                                                                               |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'                                                                                                                                                                                                                   |                                                                                                          |                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                          |                                                                                                                                                                                                                                                                                               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                     |                                                                                                          |                                                                                                                                                                                                                                                                                               |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                          |                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                  | Collecting systems and <del>calculation</del> of the load <del>expressed in p.e.</del> of agglomerations | The article does not address calculation as such; it only requires what the calculation of the load should be based on<br><br>→ The title should reflect the content; by mentioning the calculation it could be misunderstood, that the calculation method is defined, which is not the case. |
| 1. <del>Unless they justify a derogation under paragraph 4 of Article 4,</del> Member States shall ensure that all agglomerations with a p.e. of 2 000 p.e. and above comply with the following requirements:<br><br>(a) they are provided with collecting systems;<br><br>(b) all their sources of <del>domestic urban</del> wastewater are connected to the collecting system. |                                                                                                          |                                                                                                                                                                                                                                                                                               |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p>2. <del>Unless they justify a derogation under paragraph 4 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>2. <del>Unless they justify a derogation under paragraph 4 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations with a p.e. of between 1000 and 2000 p.e. comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p>(a) they are provided with collecting systems or combinaton of collecting systems and individual systems in cases where individual systems under Article 4 are justified;</p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>(b) all their sources of urban wastewater are connected to a collecting system, except in cases where individual systems under Article 4 are justified.</p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>We do not agree to a complete deletion of points a) and b). We are of the opinion that in case of smaller agglomerations (i.e. agglomerations between 1.000 and 2.000 p.e.) sufficient flexibility should be ensured for Member States to adapt the requirements to national specifics, such as geographic, orographic or other national or local conditions, or disproportionate costs. Namely, in particular circumstances a collecting system might not be the most cost-efficient solution and Member States should have sufficient flexibility to decide on the most appropriate solutions.</p> <p>Point b)</p> <p>From the same reason as explained in previous comment (geographic, orographic or other local conditions; disproportionate costs) it might not be possible for each source of domestic wastewater to be connected to the collecting system. Appropriate flexibility for Member States / possibility to allow for exemption at national or local level should be included, with appropriate reference to Article 4, where a derogation from Article 3 is already envisaged. However, the derogation in Article 4 only addresses establishment of a collection system as a whole, and does not allow for a derogation from the obligatory connection of a particular / single source of domestic wastewater where the collection system could be established or it is in place, but the connection of the source in question is for some reason not feasible.</p> <p>Derogations should be enabled in more than one 6-years cycles, not limited to one cycle, to enable prioritising the measures with a view of cost-efficiency as enabled for the Programme of Measures under the Water Framework Directive.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | SI comments                                                                                                                                                                                                                                        |
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| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <del>basis of the</del> maximum average weekly load <del>entering the treatment plant generated in that agglomeration</del> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p> | <p><del>3. The calculation of the load of an agglomeration expressed in p.e. shall be based calculated on the basis of the maximum average weekly load entering the treatment plant generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant,</del> shall also be based on the maximum average weekly load;</p> | <p>Scrutiny reservation.</p> <p>We have reservation regarding inclusion of this paragraph as a whole!</p> <p>This paragraph should be deleted. Article 3 does not regulate treatment (as in the case of proposed paragraph 3), but collection!</p> |
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| <p>4 3. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                    |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                       | SI proposal | SI comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |             |             |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |             |             |
|                                                                                                                                                                       |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                   |             |             |
| <p>(4); (5); (6)</p>                                                                                                                                                  |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>1. <del>By way of derogation</del> <b>Member States may derogate from Article 3, where exceptionally if the establishment of or the connection to a collecting system is not justified either because it would produce no environmental or health benefit, it is not technically feasible or because it would involve excessive cost.</b></p> <p><b>If derogating from Article 3, Member States shall ensure that individual systems for the collection, storage and, when applicable, treatment of urban domestic urban wastewaters ('individual systems') are used <u>for in</u> agglomerations of 1 000 p.e. and above.</b></p> | <p>1. <del>By way of derogation</del> <b>Member States may derogate from Article 3, where exceptionally if the establishment of a collecting system for entire agglomeration or it's part or if the connection of each individual source of urban wastewater to a collecting system is not justified either because it would produce no environmental or health benefit, it is not technically feasible or because it would involve excessive cost.</b></p> <p><b>If derogating from Article 3, Member States shall ensure that individual systems for the collection, storage and, when applicable, treatment of urban domestic urban wastewaters ('individual systems') are used <u>for in</u> agglomerations of 1 000 p.e. and above <u>or their parts</u>.</b></p> | <p>It should be clear that a part of the agglomeration can be served by individual systems, not necessarily the whole agglomeration.</p>                                                                                                                                                                                                                                                                                                                                                         |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least achieves</del> the same level of environmental protection treatment as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                 | <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least achieves</del> <b>the same such</b> level of <del>environmental protection treatment as the secondary and tertiary treatments referred to in Articles 6 and 7.</del> <b>treatment as necessary to meet the objectives of the receiving water bodies under the relevant other Union legislation. Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</b></p> <p><b><u>This requirement will apply to existing individual systems six years after 2033.</u></b></p>                                                    | <p>We believe that the combined approach from the Water Framework Directive should be respected. This would enable appropriate flexibility according to the local circumstances and the quality of the receiving water body.</p> <p>We propose to replace "environmental protection as the secondary and tertiary treatments referred to in Articles 6 and 7" with "treatment as necessary to meet the objectives of the receiving water bodies under the relevant other Union legislation".</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p><b>3. [NEW]</b> Member States shall ensure that <b>individual systems that are used in agglomerations of 1 000 p.e. and above</b>, <del>where individual systems are used</del> are registered in a public <del>national, or regional or local</del> registry and that regular inspections <del>or other means of regular checks or control</del> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level</del>.</p>                                                                                                                                                                                        | <p><b>3. [NEW]</b> Member States shall ensure that <b>individual systems that are used in agglomerations of 1 000 p.e. and above</b>, <del>where individual systems are used</del> are registered in a public <del>national, or regional or local</del> registry <b>pursuant to national legislation</b> and that regular inspections <del>or other means of regular checks or control</del> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <del>or other body authorised at national, or regional or local level</del>.</p>                                                                                                                                                                                                          | <p>We welcome the proposed change. Wastewater collection and treatment is local public service; therefore, local registries should be enabled.</p>                                                                                                                                                                                                                                                                                                                                                             |
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</del> establishing minimum requirements <del>on</del> for:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>124 months</u> from the entry into force of this Directive}.</b></p> | <p><del>34.</del> The Commission is empowered to adopt <del>delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</del> establishing minimum requirements <del>on</del> for:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections</del> <b>or other means of regular checks or control</b> referred to in paragraph 2 3, <b>on the basis of a risk-based approach second subparagraph.</b></p> <p><b>The Commission will provide the requirements by <u>124 months</u> from the entry into force of this Directive}.</b></p> | <p>We do not support this empowerment. We are of the opinion that it is not possible to adopt harmonised rules, considering the diversity of Member States.</p> <p>If minimal technical requirements for individual systems should be defined at EU level, very general harmonised requirement should be included in the directive itself while keeping as much flexibility for Member States as possible.</p> <p>Besides regular inspections, other means of regular checks or control should be enabled.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> 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 in each of the agglomerations. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph 34 where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> | <p><del>45. Member States that use individual systems to treat more than 2% of the urban wastewater load at national level 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 in each of the agglomerations. That justification shall:</del></p> <p><del>(a) demonstrate for each of those agglomerations that the conditions for using individual systems set out in paragraph 1 are fulfilled;</del></p> <p><del>(b) describe the measures taken in accordance with paragraph 2 and 3;</del></p> <p><del>(c) demonstrate compliance with the minimum requirements referred to in paragraph 34 where the Commission has exercised its delegated implementing power under that paragraph.</del></p> | <p>Negative scrutiny on the whole concept.</p> <p>The requirements are too burdensome and disproportionate; especially with a view that it is not clear what would be the content of the implementing act under paragraph 3.</p> <p>At the same time, there is no clear criteria in the directive to assess compliance of particular agglomeration. Therefore, it is legally questionable, why to report.</p> <p>Clear criteria for assessing compliance should be included in the directive. Article 4 (derogations) should be part of the compliant agglomeration, not requiring special reporting on the use of individual systems.</p> <p>In addition the wording used should be aligned throughout the text.</p> <p>It is not clear why sometimes “urban wastewater load from agglomerations” is used, and sometimes “load of agglomeration”.</p> <p>The difference should be explained or the use of the wording harmonised.</p> |
| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by [24 months] from the entry into force of this Directive.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><del>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). The Commission will provide the format by [24 months] from the entry into force of this Directive.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5 | SI proposal | SI comments |
|---------------------------------|-------------|-------------|
|---------------------------------|-------------|-------------|

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | SI proposal                                                                                                                                                                                                                                   | SI comments                                                                                                                                                                                                                                                                                                                               |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                           |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                      |                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                           |
| (7); (8)                                                                                                                                                                                                                 |                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                          | Integrated urban wastewater <del>and polluted urban runoff</del> management plans                                                                                                                                                             | <p>We do not support broadening of the scope. Management of urban runoff goes beyond the scope of this directive and is appropriately covered by other EU law (such as Water Framework Directive).</p> <p>We welcome the proposed prolongation of dealines and adaptation to 6-years cycles, but we keep a scrutiny on the deadlines.</p> |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of agglomerations</b> of 100 000 p.e. and above. | 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <del>each drainage</del> <b>catchment area of agglomerations</b> of 100 000 p.e. and above. | <p>We support extension of the deadline; however, we keep a scrutiny on the concrete proposal.</p> <p>We sugest to use the wording "catchment area of the agglomerations" and to include the term into artice 2 among the definitions.</p>                                                                                                |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm-water overflow</del> or <b><u>polluted discharges of urban runoff discharges</u></b> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm-water overflow</del> represents more than <del>1%-3%</del> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow conditions</del>;</p> <p>(c) <del>sewer storm-water overflow</del> or <b><u>polluted discharges of urban runoff discharges</u></b> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>2. By 31 December <del>2025</del> <b>2027</b> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <b><u>combined sewer storm-water overflow or polluted discharges of urban runoff discharges</u></b> poses a risk to <b>achieve the environmental objectives set in other Union legislation the environment or human health</b>;</p> <p>(b) <del>sewer storm-water overflow</del> represents more than <del>1%-3%</del> <b>of significant pressure considering</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow conditions</del>;</p> <p>(c) <b><u>combined sewer storm-water overflow or polluted discharges of urban runoff discharges</u></b> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>15</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>16</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>17</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> | <p>The expression 'historic data' should be clarified.</p> <p>Point a):</p> <p>Scrutiny</p> <p>We suggest using the term "combined sewer" as this conduct among all different conduits represents the largest risk for polluting the environment.</p> <p>We do not support using the term "polluted discharges". We consider such change as broadening of the scope.</p> <p>We would prefer linking the assessments to the existing mechanism under Water Framework Directive, which already requires to carry out risk assessment and determine significant pressures to comply with environmental objectives.</p> <p>Point b):</p> <p>We suggest to align point b) to the logic of risk assessment mechanisms under the Water Framework Directive.</p> <p>Point c):</p> <p>To our opinion this is already covered in point (a) by referring to risk, which mechanism requested under Water Framework Directive.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                          | SI proposal                                                                                                                                                                                                                                    | SI comments                                                                                                                                                                                                                                                            |
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| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <u>each drainage area of</u> agglomerations referred to in paragraph 2 | 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <del>each drainage</del> <u>catchment area of</u> agglomerations referred to in paragraph 2. | We suggest to use the wording “catchment area of the agglomerations” and to include the term into art. 2 among the definitions.<br><br>We would like to emphasize that it is burdensome to establish integrated urban wastewater management plan for individual areas. |
|                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                        |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                    |                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                        |
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| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                  |                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                        |
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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

<sup>15</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>16</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>17</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SI proposal | SI comments                                                                                                                                                                                                                                                                  |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).<br/> <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive.</b></p> |             | <p>We do not support this implementing act.</p> <p>To our opinion a guidance should be prepared and not the implementing act, to ensure sufficient flexibility in this respect.</p> <p>Point b):<br/> Clarification is needed what is meant by 'alternative indicators'.</p> |
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| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                                                                                                                                                                                                                                                                              |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | SI proposal | SI comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(11) 'secondary treatment'</p>                                                         |             |             |



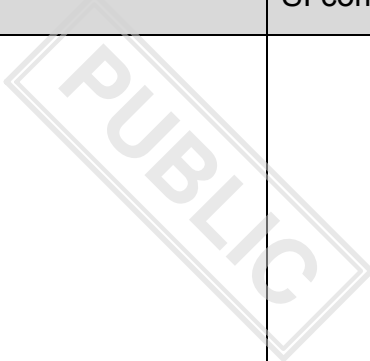
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SI comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |
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| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</b> paragraph 3 or an equivalent treatment before discharge into receiving waters.</p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on</del> <del>[please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on</del> <del>[please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> | <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</b> paragraph 3 or an equivalent treatment before discharge into receiving waters.</p> <p>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, <del>t</del>The obligation set out in the first paragraph shall not apply until 31 December 2027 <del>for</del>:</p> <p>(a) <del>For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on</del> <del>[please insert the date = date if entry into force of this directive]</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p>(b) For agglomerations discharging into less sensitive areas <u>as referred to in identified pursuant to Article 6(1) of Council Directive 91/271/EEC</u> the obligations set out in the first paragraph shall apply in seven years after the <del>on</del> <del>[please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | SI proposal | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033</b> <del>urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p><b>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</b></p> |             | <p>We welcome the possibility for derogation. However, we would prefer better alignment with the RBMPs under the Water Framework Directive ; we propose to use step-wise approach of 6-years cycles to progressively address agglomeration causing the receiving water bodies to be at risk of acheiving their environmental objectives. Linkage to risk assessment under the RBMPs would enable prioritise the agglomerations.</p> <p>Regarding the part "if the conditions in Article 23(5) are met": Scrutiny</p> |
| <p><del>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</del></p> <p><b><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></b></p>                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                  | SI proposal | SI comments |
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| 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. |             |             |
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# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | SI proposal                                                                                                                       | SI comments                                                                                                                                                               |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                                                                                                                                   |                                                                                                                                                                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                                                                                                                                   |                                                                                                                                                                           |
| (16)                                                                               |                                                                                                                                   |                                                                                                                                                                           |
|                                                                                    | Energy <del>and climate</del> <b>neutrality efficiency</b> of urban wastewater treatment plants <del>and collecting systems</del> | The requirement “neutrality” is overambitious! We would prefer “efficiency” instead of neutrality OR full deletion, because this goes beyond the scope of this directive. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SI proposal                                                                         | SI comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SI comments |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040-;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, <u>at national level, operators of urban wastewater treatment plants treating a load of 10 000 p.e. and above take measures to contribute to the production of energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b>% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040-;</p> <p><del>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</del></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> |             |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | SI proposal | SI comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |             |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |             |             |
| (18)                                                                                                                                                                                                                                                                                                                                                                |             |             |
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| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |             |             |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | SI proposal | SI comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
| (3) 'non-domestic wastewater'                                                      |             |             |

| New text proposal_Clusters1,3,5                                              | SI proposal | SI comments |
|------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |             |             |
| (19)                                                                         |             |             |
|                                                                              |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules regulations and/or</del> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p>Those <del>general binding rules prior</del> regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules regulations and/or</del> specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> | <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules regulations and/or</del> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p>Those <del>general binding rules prior</del> regulations and/or specific authorisations shall ensure that <del>the water quality requirements relevant emission limit or other relevant environmental requirements for non-domestic wastewater</del> set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules regulations and/or</del> specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</b> allows the operators of collecting systems and urban wastewater treatment plants receiving non-domestic wastewater discharge to consult the specific authorisations granted <del>in their catchment areas on request</del> <u>for discharges into collecting system or urban wastewater treatment plant under their operation.</u></p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, and operators of urban wastewater treatment plants are consulted before the prior regulations are adopted.</u></p> | <p>The requirements should be focused on emission control - referring to water quality could be confusing.</p> <p>Point b):<br/>Točka b)</p> <p>The requirement is not clear and should be further clarified - What is meant by 'consulting'; what would be the consequence of such consultation and what are the obligations of a Member State and/or relevant competent authority in relation to such consultation.</p> <p>'Catchment area' of the operators should be clarified / defined. In our opinion, it would be better to replace the wording 'in their catchment areas' with the wording 'for discharges into collecting system or urban wastewater treatment plant under their operation'.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <del>general binding rules regulations and/or</del> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>18</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> | <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <del>general binding rules regulations and/or</del> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <del>of this Article</del> where any of the following situations arise:</p> <p>(a) <b>such level of</b> pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3) <b>that causes harmful effects on receiving waters</b>;</p> <p>(b) <b>such level of pollutnats have been identified in the</b> sludge arising from urban wastewater treatment <b>that it is not possible</b> to be used in accordance with Council Directive 86/278/EEC<sup>19</sup>;</p> <p>(c) <b>such level of pollutnats have been identified in the</b> treated urban wastewater <b>that it is not possible</b> to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) <b>such level of pollutnats have been identified in the</b> receiving waters <b>are as a consequence of that sources of pollution in non-domestic wastewater that it is not possible for the receiving waters to be</b> used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> | <p>“Appropriate measures” - clarification is needed as to what should be understood as ‘appropriate measures’. What would be possible practical measures to be taken by Member States (except for revision of the general binding rules or autorisation granted) ?</p> <p>What is the relation to inspections ?</p> <p>.....</p> <p>There is no threshold for the start of action, which seems disproportionate. The action would be needed only where harmful effects are identified.</p> |
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18 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

19 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                            | SI comments                                                                                                   |
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| <p>3. The <del>general binding rules regulations</del> and specific authorisations referred to in paragraph 1 <del>of this Article</del> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                | <p>3. The <del>general binding rules regulations</del> and specific authorisations referred to in paragraph 1 <del>of this Article</del> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p> | <p>We do not support such empowerment. We consider the content of Annex I, point D, as essential element.</p> |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> ten years.</p> <p>The <del>general binding rules regulations</del> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                               |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | SI proposal | SI comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part B</b> of Annex I.                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p><b>2.</b> The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>20</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> | <p><b>2.</b> The requirements referred to in paragraph 1 <del>of this Article</del> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>21</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct <b>discharge release</b>').</p> | <p>The term 'plants' should be clarified. Does it mean industrial installations / facilities, or industrial wastewater treatment plants, or other.</p> <p>The provision should be clarified. Is the requirement applicable if the wastewater originates from one plant and it is treated in the treatment plant of (belonging to) another / separate plant?</p> <p>Considering that in water legislation direct or in-direct discharge has a specific meaning, we propose to align the wording with the IED and use 'direct release' instead.</p> |

20 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

21 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | SI proposal | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| (21) 'antimicrobial resistance'                                                    |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| (22); (23)                                                                         |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                    |             | <p>Scrutiny reservation.</p> <p>Although we support the overall objective on surveillance of public health relevant parameters in urban wastewaters, we are of the opinion, that those requirements go beyond the scope of this Directive as they address health sector. Therefore, those requirements do not fit in environmental legislation and should be addressed elsewhere. Any monitoring or surveillance that is primarily devoted to the protection of public health or enabling early warning in relation to public health should be included in the public health legislation.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>(c) influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>(e) contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <u>permanent</u> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <u>other relevant</u> public health parameters <del>than the ones referred to in paragraph 4</del> that are to be monitored <u>at least in the inlet of</u> urban wastewater <u>treatment plants</u>, such as those in the following list:</p> <p>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</p> <p>(ii) poliovirus;</p> <p>(iii) influenza virus;</p> <p>(iv) emerging pathogens;</p> <p><u>(v) contaminants of emerging concern;</u></p> <p><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></p> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 4(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(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, <u>and in accordance with data protection law.</u></p> | <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <p><del>(a) SARS-CoV-2 virus and its variants;</del></p> <p><del>(b) poliovirus;</del></p> <p><del>(c) influenza virus;</del></p> <p><del>(d) emerging pathogens;</del></p> <p><del>(e) contaminants of emerging concern;</del></p> <p><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></p> <p>21. For the purpose of paragraph 1, Member States shall set up a national <b>consultation</b> system <b>which will enable</b> <del>for permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment <b>and will provide non-binding recommendations</b> with regard to:</p> <p>(a) the identification of <u>other relevant</u> public health parameters <del>than the ones referred to in paragraph 4</del> that are to be monitored <u>at least in the inlet of</u> urban wastewater <u>treatment plants</u>, such as those in the following list:</p> <p>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</p> <p>(ii) poliovirus;</p> <p>(iii) influenza virus;</p> <p>(iv) emerging pathogens;</p> <p><u>(v) contaminants of emerging concern;</u></p> <p><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></p> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 4(a), taking into account</del> <b>thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(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, <u>and in accordance with data protection law.</u></p> | <p>The provision of “a national system for permanent cooperation and coordination” is not acceptable since it interferes with the purely national responsibilities regarding organisational and legislative system at national level.</p> <p>Such coordination mechanism has no and cannot have legal jurisdiction to impose new obligations (such as additional parameters, locations, frequency of monitoring, etc.). These obligations can only be imposed by governmental legislation.</p> <p>Such a coordination mechanism can only provide non-binding recommendations.</p> <p>The provision interferes with the principle of subsidiarity.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SI proposal | SI comments |
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| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> <b>the</b> competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider</b> <b>Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>22</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>23</sup>+</del>.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |

<sup>22</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>23</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal | SI comments |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <b>the</b> Commission shall <del>may</del> <b>shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <b>a</b> uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | SI proposal | SI comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(14) 'sludge'</p>                                                                      |             |             |
|                                                                                           |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal | SI comments                                                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                  |
| 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, <b>preparing for reuse, and recycling and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                                        |             |                                                                                                                                                                                                                                                  |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take into account available technologies,</del> <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |             | <p>We do not support empowerment for that implementing act. We consider adoption of reuse and recycling rates as essential elements of the directive.</p> <p>It could be included as a revision clause followed by, if appropriate, the OLP.</p> |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | SI proposal | SI comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI comments                                                                                                                                                                                                                                                                                                                                                                                  |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                              |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part Part B of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</del> <b>and; this monitoring shall include including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</del></p> <p>(d) the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of <del>above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate</del>;</p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> | <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor, <b>as relevant</b>:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part Part B of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</del> <b>and; this monitoring shall include including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water quantities per year and per month of</del> <b>treated</b> urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction of <b>the treated urban wastewater</b> reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</p> <p>(d) the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of <del>above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate</del>;</p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</del></p> | <p>“as relevant” needs to be added to ensure flexibility for Member States for adoption of monitoring requirements to the national / local risk assessments, also risk assessments under Article 5 of the Water Framework Directive or other water related EU legislation.</p> <p>Point d)</p> <p>Special scrutiny. This is not an appropriate place to regulate these greenhouse gases.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SI proposal | SI comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |             |             |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>24</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>25</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture.**

~~4. The monitoring referred to in the first and second sub~~  
**this** paragraphs **3** shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6–7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more~~ **above**;

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

**[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable**

Point i):

Does this provision include the lists of parameters for assessment of the chemical or ecological status, or also parameters from the watch lists?

Point b):

Does this provision include the lists of parameters for assessment of drinking water quality, or also parameters from the watch list?

#### **Paragraph (4):**

Special scrutiny on frequencies.

The requirement is too burdensome and disproportionate.

We suggest the approach from the Water framework directive.

The monitoring frequencies should follow the principle of 6-years cycles as it is the case for monitoring of water bodies under the Directive 2000/60/ES (WFD). That way, results of both monitoring would be comparable to follow the principle of combined approach.

The text marked with **[NEW]** is still too burdensome - special scrutiny.

| New text proposal_Clusters1,3,5 | SI proposal | SI comments |
|---------------------------------|-------------|-------------|
|                                 |             |             |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                    | SI proposal | SI comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (31)                                                                               |             |             |
|                                                                                    |             |             |

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- 24 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 25 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SI proposal | SI comments |
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| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |
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| <p>3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                   | SI proposal | SI comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal                                                                                                                         | SI comments |
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| <p>5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:</p> <p>(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:</p> <ul style="list-style-type: none"> <li>(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>(ii) the national implementation programme includes: <ul style="list-style-type: none"> <li>- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> </li> </ul> <p>(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:</p> <ul style="list-style-type: none"> <li>(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>(ii) the national implementation programme includes: <ul style="list-style-type: none"> <li>- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and</li> <li>- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;</li> </ul> </li> </ul> <p>The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)].</p> | <div data-bbox="1182 151 1550 518" data-label="Image"> </div> <div data-bbox="1088 1428 1160 1513" data-label="Page-Footer"> </div> |             |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SI comments                                                                                                                                                                                                      |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                  |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                  |
| (34)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                  |
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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> | <p><del>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</del></p> <p><del>(a) they have a sufficient interest;</del></p> <p><del>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</del></p> <p><del>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</del></p> <p><del>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.</del></p> | <p>Although we support the overall objective on access to justice, we have reservation regarding inclusion of this article. In our opinion a recital referring to the Aarhus convention would be sufficient.</p> |
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| New text proposal_Clusters1,3,5                                                                                               | SI proposal                                                                                                                              | SI comments |
|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged. | <del>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</del> |             |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                               | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| 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. | <del>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.</del> | <p>We have reservations regarding inclusion of this article.</p> <p>Collection and treatment of urban wastewater is a public service in public interests and cannot be considered in the same manner as an operation of industrial installations (and, thus, aligned with the relevant article in the IED).</p> <p>Since public service providers do not work for profit but in the public interest, any compensation awarded would be reflected in the price of the service (paid by consumers), which is not the purpose of this provision and does not mean an implementation of the polluter pays principle.</p> <p>The article should be deleted.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                             | SI comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <p><del>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.</del></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |
| <p><del>3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.</del></p>                                                                                                                                                                                                              | <p><del>3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.</del></p>                                                                                                         |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |
| <p><del>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</del></p>                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |
| <p><del>5 3. Member States shall ensure that may establish ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 are not shorter than 5 years. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from a violation pursuant to paragraph 1</del></p>                                                                                                      | <p><del>5 3. Member States shall ensure that may establish ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 are not shorter than 5 years. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from a violation pursuant to paragraph 1</del></p> |             |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SI proposal | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| (35)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             | <p>We are hesitant regarding numerous delegated acts that are envisaged. The proposed empowerments of the Commission to adopt several delegated acts should be further discussed since they might touch upon essential elements of the directive.</p> <p>The deadline for objection by the European Parliament or by the Council in paragraph 6 should be extended from 2 to 3 months, with the possibility to be extended by additional 3 months, as it is already the case in some other legislative acts.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SI proposal | SI comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>3. The delegation of power referred to in Articles 4(3), <del>6(3)</del>, 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.</p>                                                                 |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.</p>                                                                                                                                                                                                                                                                                                                                                             |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del>, 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.</p> |             |             |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                                                                                 | SI proposal | SI comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                              |             |             |
|                                                                                                                                                                                 |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                    |             |             |
| (36)                                                                                                                                                                            |             |             |
|                                                                                                                                                                                 |             |             |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and implementation of the directive on urban wastewater treatment. |             |             |
|                                                                                                                                                                                 |             |             |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.                                                                             |             |             |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                    | SI proposal | SI comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SI proposal | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>1. <b>Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law</b>, Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |             | <p>Provisions on penalties should remain very general, limited to the requirements on effectiveness, proportional and dissuasive nature of penalties; any detailed requirement should be defined at national level, according to the principle of subsidiarity</p> <p>We do not support detailed requirements on penalties in the EU law. The provisions should remain very general.</p> <p>As a compromise, we could accept the text that would be as close as possible to the text in the General Approach in the IED.</p> |
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(e)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p>                                                                                                                                    |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| New text proposal_Clusters1,3,5 | SI proposal | SI comments |
|---------------------------------|-------------|-------------|
| them.                           |             |             |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | SI proposal | SI comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                        | SI proposal | SI comments |
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| and outlets of the urban wastewater treatment plants.<br><br>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. |             |             |
|                                                                                                                                                                                                                                                                                                        |             |             |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.                                                                                                                                        |             |             |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | SI proposal                                                                                                                                                                                                                                                  | SI comments                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                                                                                                                                                                                                                                                              |                                                                                                                                               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                                                                                                                                                                                                                                                              |                                                                                                                                               |
|                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                              |                                                                                                                                               |
| 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. | Every <del>five</del> <b>six</b> 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. | It would be reasonable to change these cycles to 6 years as it is the case for other revisions, that are requested, and in line with the WFD. |



## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SI comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |
| (42); (43)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |
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| <p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> | <p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the <del>twenty-third</del> <b>thirty-five</b> month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                  | SI proposal | SI comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                               |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive].</p> |             |             |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                    | SI proposal | SI comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
|                                                                                    |             |             |
| This Directive is addressed to the Member States.                                  |             |             |

| New text proposal_Clusters1,3,5                                                                                                          | SI proposal | SI comments |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |             |             |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SI proposal | SI comments                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the</b></li> </ul> |             | <p>Footnote 1 from the current Directive 91/271/EEC should be kept or appropriately revised; the footnote should be included to enable flexibility for Member States.</p> |

| New text proposal_Clusters1,3,5                 | SI proposal | SI comments |
|-------------------------------------------------|-------------|-------------|
| relevant requirements in Article 5 and annex V. |             |             |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                            | SI proposal                                                                                                                                                                                                                                         | SI comments                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                         |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                    |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                               |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                    |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                       |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                    |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b> | 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements <b>shown</b> in Table 1 <b>of this Annex</b> . | <p>Please find below our previous comments on this paragraph:</p> <p>A reference to agglomerations is not needed and it is confusing. In Article 6 there are clear provisions for which urban wastewater treatment plants the requirements are applicable.</p> <p>We propose to delete the word “shown” to align the text with the next point.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                             | SI proposal                                                                                                                                                                                                                                                                                                                                                                                                               | SI comments                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3 Article 7(1) or serving agglomerations referred to in Article 7(3) and in Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements shown in Table 2 of this Annex. | 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3 Article 7(1) or serving agglomerations referred to and in Article 7(3) and in Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements shown in <b>Table 1 and</b> Table 2 of this Annex, <b>except in cases where Article 7(5) is applied</b> . | <p>Please find below our previous comments on this paragraph:</p> <p>A reference to agglomerations is not needed and it is confusing. In Article 7 there are clear provisions for which urban wastewater treatment plants the requirements are applicable.</p> <p>It should be clear that Table 1 applies as well.</p> |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and included in the list referred to in Article 8(24) shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> .                                      | 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and included in the list referred to in Article 8(24) shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in <b>Table 1 and</b> Table 3 <b>of this Annex</b> .                                                                                                 | <p>Please find below our previous comments on this paragraph:</p> <p>A reference to agglomerations is not needed and it is confusing. In Article 8 there are clear provisions for which urban wastewater treatment plants the requirements are applicable.</p> <p>It should be clear that Table 1 applies as well.</p> |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to <del>permanently</del> monitor and prevent all unintentional <b>such biomedica from being released into receiving waters</b> the environment.                                      |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                        |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in                                                                                                                                                            | 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements                                                                                                                                                                                                                                                       | <p>Please find below our previous comments on this paragraph:</p> <p>Regarding "more stringent requirements" clarification is</p>                                                                                                                                                                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal                                                                                                                                                      | SI comments                                                                                                                                          |                                                                                                                                                                         |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|------------------------------------------------------------------------------|------------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC, <b>2006/118/EC</b> and 2006/7/EC.                                                                   | needed:<br><br>Does this also mean additional parameters or just stricter emission limit values for the parameters in the tables?                    |                                                                                                                                                                         |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                  |                                                                                                                                                      |                                                                                                                                                                         |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                                                                                                                                                                                                                                 | 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize <del>the</del> <b>harmful</b> effects on receiving waters. | Please find below our previous comments on this paragraph:<br><br>Positive effects should be allowed (such as recharge of a water body in question). |                                                                                                                                                                         |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                  |                                                                                                                                                      |                                                                                                                                                                         |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                  |                                                                                                                                                      |                                                                                                                                                                         |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |
| <table><tr><th>Parameters</th><th>Concentration</th><th>Minimum percentage of reduction (see Note 4)<sup>26</sup></th><th>Reference method of measurement</th></tr><tr><td>Biochemical oxygen demand (BOD5 at 20 °C) without nitrification (see Note 1)</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/><br/>40 under Article 4 (2)<br/><b>40 under Article 6(3)</b></td><td>Homogenized, unfiltered, undecanted sample. Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a</td></tr></table> | Parameters                                                                                                                                                       | Concentration                                                                                                                                        | Minimum percentage of reduction (see Note 4) <sup>26</sup>                                                                                                              | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 °C) without nitrification (see Note 1) | 25 mg/l O <sub>2</sub> | 70-90<br><br>40 under Article 4 (2)<br><b>40 under Article 6(3)</b> | Homogenized, unfiltered, undecanted sample. Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Concentration                                                                                                                                                    | Minimum percentage of reduction (see Note 4) <sup>26</sup>                                                                                           | Reference method of measurement                                                                                                                                         |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |
| Biochemical oxygen demand (BOD5 at 20 °C) without nitrification (see Note 1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 25 mg/l O <sub>2</sub>                                                                                                                                           | 70-90<br><br>40 under Article 4 (2)<br><b>40 under Article 6(3)</b>                                                                                  | Homogenized, unfiltered, undecanted sample. Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a |                                 |                                                                              |                        |                                                                     |                                                                                                                                                                         |  |  |

<sup>26</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                 |                                                                                                                                                                                                                                                                                                               | SI proposal | SI comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                 | nitrification inhibitor                                                                                                                                                                                                                                                                                       | PUBLIC      |             |
| Chemical oxygen demand (COD) (See Note 2)                                                                                                                                                                                                                                                                                                                                                                                                        | 125 mg/l O <sub>2</sub> | 75              | Homogenized, unfiltered, undecanted sample Potassium dichromate                                                                                                                                                                                                                                               |             |             |
| Total Organic Carbon (See Note 2)                                                                                                                                                                                                                                                                                                                                                                                                                | 37 mg/l                 | 75              | EN 1484                                                                                                                                                                                                                                                                                                       |             |             |
| Total suspended solids                                                                                                                                                                                                                                                                                                                                                                                                                           | 35 mg/l (see Note 3)    | 90 (see Note 3) | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |             |             |
| <p>Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p> |                         |                 |                                                                                                                                                                                                                                                                                                               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                           | SI proposal                      | SI comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|-------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|---------|----|---------|----|---------|----|--|--|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                           |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr><tr><td>172-187</td><td>14</td></tr><tr><td>188-203</td><td>15</td></tr><tr><td>204-219</td><td>16</td></tr></table> |                                                           | Table 4: Requirement for samples |             | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 | 172-187 | 14 | 188-203 | 15 | 204-219 | 16 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                           |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Maximum permitted number of samples which fail to conform |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 5                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 6                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 7                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 8                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 9                                                         |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 10                                                        |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 11                                                        |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 12                                                        |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 13                                                        |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 172-187                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 14                                                        |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 188-203                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 15                                                        |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 204-219                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 16                                                        |                                  |             |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |



| New text proposal_Clusters1,3,5 |    | SI proposal | SI comments |
|---------------------------------|----|-------------|-------------|
| 220-235                         | 17 | PUBLIC      |             |
| 236-251                         | 18 |             |             |
| 252-268                         | 19 |             |             |
| 269-284                         | 20 |             |             |
| 285-300                         | 21 |             |             |
| 301-317                         | 22 |             |             |
| 318-334                         | 23 |             |             |
| 335-350                         | 24 |             |             |
| 351-365                         | 25 |             |             |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | SI proposal | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> set in accordance with Article 15(3) of that Directive and any additional measures taken in</p> |             | <p>Point a)</p> <p>Regarding “do not prevent”, it is not clear what would be the criteria for such assessment considering that for water reuse the wastewater treated in the UWWTP under this directive should be further reclaimed in additional reclamation process to comply with the relevant Regulation.</p> <p>Point d)</p> <p>Regarding “applicables according to this Directive”, it should be clarified, whether such UWWTP needs the permit based on the permitting procedure under the IED or whether the autorisation under this directive is an IED installation (even if under 100.000 pe.e) or not ?</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SI proposal | SI comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |             |             |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | SI proposal | SI comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                              |             |             |
|                                                                                                                                                                                                                                 |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |             |             |
| (12)                                                                                                                                                                                                                            |             |             |
|                                                                                                                                                                                                                                 |             |             |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with minimum performance criteria as the ones defined in</b> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SI proposal                                                                                | SI comments                                |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------|--------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------|------------------------------------------------|--|--|
| <p><b>the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                                                                                                                                                                     |                                                                                            |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                            |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                                                                                                                              |                                                                                            |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                            |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p.e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/>to 99 999 p.e.:</td><td>One sample per week<br/>For micropollutants, two samples per <del>week</del> <b>month</b>.</td></tr><tr><td>— 100.000 p.e. or over:</td><td>One <del>Two</del> samples per day <b>week</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                                      | One sample per month ( <b>see Note 1</b> ) | — 10 000 to 49 999 p.e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br>to 99 999 p.e.: | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . | — 100.000 p.e. or over: | One <del>Two</del> samples per day <b>week</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | One sample per month ( <b>see Note 1</b> )                                                 |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| — 10 000 to 49 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month                         |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| — 50 000 p.e. <b>or above</b><br>to 99 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | One sample per week<br>For micropollutants, two samples per <del>week</del> <b>month</b> . |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |
| — 100.000 p.e. or over:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | One <del>Two</del> samples per day <b>week</b>                                             |                                            |                          |                                                                    |                                                  |                                                                                            |                         |                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                | SI proposal                                            | SI comments                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | For micropollutants, <del>two</del> <b>one</b> sample per week |                                                        |                                                          |
| <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                |                                                        |                                                          |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |                                                                |                                                        | Scrutiny                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |                                                        |                                                          |
| 5. The samples shall be taken so that they reflect the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                | 5. The samples shall be taken so that they reflect the | Other unusual situations might occur not just heavy rain |

| New text proposal_Clusters1,3,5                                                                                                                                                                                           | SI proposal                                                                                                                                                                                                            | SI comments                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| pollution during dry weather <b>flow conditions</b> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain.            | pollution during dry weather <b>flow conditions</b> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations <b>due to heavy rain</b> . | (for example unexpected breakdown of the equipment). Reference to heavy rain should be deleted or referred to only as an example, as it is the case in the current directive (using 'such as'). |
|                                                                                                                                                                                                                           |                                                                                                                                                                                                                        |                                                                                                                                                                                                 |
| 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. |                                                                                                                                                                                                                        |                                                                                                                                                                                                 |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | SI proposal | SI comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |             |             |
|                                                                                                                                                                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                    |             |             |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                           | SI proposal | SI comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |             |             |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER ~~AND POLLUTED URBAN RUNOFF~~ MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                    | SI proposal | SI comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                    |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                    |             | <p>See comments made on article 23.</p> <p>We suggest to use the wording “catchment area of the agglomerations” and to include the term into article 2 among the definitions.</p> <p>We do not support broadening of the scope to “polluted urban runoff”. Management of urban runoff goes beyond the scope of this directive and is appropriately covered by other EU law (such as Water Framework Directive). Thus, changes also need to be undertaken in the title of this Annex.</p> |
| 1. An analysis of the initial situation of the drainage                            |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SI proposal | SI comments |
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| <p><b><u>catchment drainage</u></b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:</p> <p>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del>, including the following:</p> <p>(a) an <del>indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p>                                                 |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SI proposal | SI comments |
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| <p>(b) the progressive <b>reduction of pollution load from elimination of untreated discharges of urban runoff through separate <del>sewers collection networks</del></b>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters</b>;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>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 <del>implementation</del> <b>implementation</b> of the integrated plan.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                 | SI proposal | SI comments |
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| <p>infrastructure such as vegetated ditches, treatment wetlands and storage ponds designed in order to support biodiversity Where relevant, water reuse shall be considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |             |             |

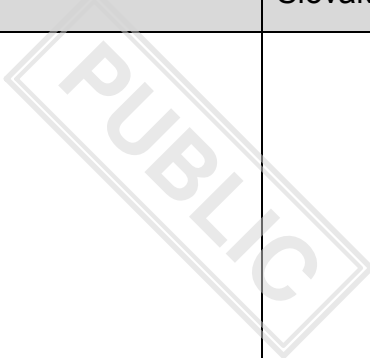
## SLOVAKIA

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Slovakia proposal | Slovakia comments   |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                     |
| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                   | Adaptation welcomed |

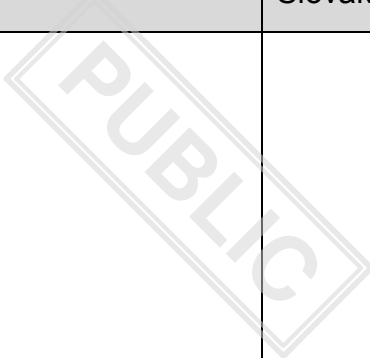
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Slovakia proposal | Slovakia comments                                                                                                                                                      |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |                                                                                                                                                                        |
| (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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.                                                                                                                                                                                 |                   | Adaptation welcomed                                                                                                                                                    |
| (6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del> . 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 |                   | Adaptation welcomed.<br><br>Remark. In Art. 4(3new) – a reference is made to “national, regional or local register”. It should be considered to clarify in the Recital |

<sup>1</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Slovakia proposal                                                                   | Slovakia comments                                  |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                    |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     | <p>Remark. Drainage area is not in definitions</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Slovakia proposal | Slovakia comments |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                        |                   |                   |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <b><u>small quantities low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                   |                   |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Slovakia proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Slovakia comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b>In order to take into</b></p>                                                                                                                                                                                                               | <p><b>In order to take into account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility, objective is that energy produced by urban wastewater treatment plant is utilized in order to reduce external energy consumption. <del>to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality</del></b></p> | <p>Remark: it is clear that stricter treatment criteria will represent enormous energy and material consumption. In overall. It is expected that demand for energy in this segment of economy (WWT) will increase significantly over the next 10-15 years.</p> <p>Slovakia does not support any requirements of energy neutrality of WWTP. The directive addresses the urban waste water treatment. Indeed, each WWTP should target energy efficiency, WWTP is constructed to treat wastewater. The long term objective should be that all energy that WWT produces is utilized.</p> |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Slovakia proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Slovakia comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> | <p><del>objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</del></p> |                   |

<sup>4</sup> 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).

<sup>5</sup> 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.

<sup>6</sup> 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).



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Slovakia proposal | Slovakia comments |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |                   |                   |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                   |                   |

<sup>7</sup> 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).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Slovakia proposal | Slovakia comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                   |                   |
| <p>(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Slovakia proposal | Slovakia comments   |
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| <p>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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                     |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                   | Adaptation welcomed |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Slovakia proposal | Slovakia comments |
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| <p>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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |                   |                   |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                  | Slovakia proposal | Slovakia comments |
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| these territories, special attention should be given to the difficult topography and insularity. |                   |                   |
|                                                                                                  |                   |                   |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <b>to sustainable levels</b> 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. |                           |                           |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Slovakia proposal | Slovakia comments   |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                     |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                     |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <del>or both of them;</del>                                                                                                                                                                                                                                                                                                                    |                   |                     |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services</del> <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                                           |                   |                     |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for <del>either the following:</del><br><del>(a) the exercise of a trade;</del><br><del>(b) activities carried out by an institution;</del><br><del>(c) or industrial or economical activities;</del><br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                   | Adaptation welcomed |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Slovakia proposal | Slovakia comments                                                                                                                           |
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| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above)</del> for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <u>into receiving waters</u> ; |                   | Adaptation welcomed<br><br>Remark. In the definition, it should be specified that the directive covers agglomerations of 1,000 pe and more. |
| (5) 'urban runoff' means <b>precipitation rainwater</b> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                                          |                   |                                                                                                                                             |
| (6) ' <del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                                                                            |                   |                                                                                                                                             |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                                                               |                   |                                                                                                                                             |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <u>including urban runoff</u> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                                                                                 |                   |                                                                                                                                             |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or</b> <del>either of the following</del> :<br><br>(a) <del>domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b> ;<br><br>(b) <del>non-domestic wastewater</del> <b>non-domestic wastewater</b> ;<br><br>(c) <del>a mixture of domestic and non-domestic wastewater</del> ;<br><br>(d) <del>rainwater from agglomerations</del> ;                      |                   |                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                  | Slovakia proposal | Slovakia comments                                                                                                                                                                                            |
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| (10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load per day having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen per day per day;</del>                                                          |                   | Remark: keep "per day" as it was (the organic biodegradable load per day). It might confuse translations.                                                                                                    |
| <b>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</b> |                   | Remark. The ambition of the directive is to have secondary treatment as the basic requirement. What are the cases that "primary treatment" would be used? Primary treatment is not addressed in any article. |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of biodegradable organic matter in from</del> <b>urban wastewater;</b>                                                                                       |                   |                                                                                                                                                                                                              |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of by a process which removes</del> <b>nitrogen and/or phosphorus from the urban wastewaters;</b>                                                                                                                                                     |                   | Adaptation welcomed                                                                                                                                                                                          |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes reduces</del> <b>a broad spectrum of micropollutants in from the from</b> urban wastewaters;                                                                                                                                                                     |                   | Adaptation welcomed                                                                                                                                                                                          |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste organic residue and inorganic sludge-residue</del> <b>resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding debris, grit, grease, other debris and any other screenings residues from the first pre-treatment step);</b>                             |                   | Adaptation welcomed                                                                                                                                                                                          |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | Slovakia proposal | Slovakia comments |
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| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                   |                   |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                   |                   |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume</del> of annual flow of the receiving waters at the point of discharge <del>and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                |                   |                   |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                   |                   |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |                   |                   |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |                   |                   |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | Slovakia proposal | Slovakia comments |
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| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                   |                   |
| (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; |                   |                   |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                   |                   |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                   |                   |
| (25) <b>'load' means the amount of <u>organic biodegradable matter measured as BOD5</u> in urban wastewater, expressed in p.e., or any pollutant or nutrient <del>in urban wastewater, expressed in p.e. or mass unit per time</del> (usually kilogram per day or year).</b>                                         |                   |                   |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | Slovakia proposal | Slovakia comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                   |                   |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                   |                   |
|                                                                                                                                                                |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Slovakia proposal | Slovakia comments                                                                                                                                           |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                                                                                                                                                             |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |                                                                                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                                                                                                                                                             |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <del>domestic urban</del> wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                                          |                   |                                                                                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                                                                                                                                                             |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 <del>p.e.</del> comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                   | Slovakia does not support the date. Extension is requested. For example, it could be moved the target date to 2040, or to allow for 2 six-years derogations |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Slovakia proposal | Slovakia comments |
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| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |
| <p>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |

#### ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                       | Slovakia proposal | Slovakia comments |
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| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |                   |                   |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |                   |                   |
|                                                                                                                                                                       |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                   |                   |                   |
| <p>(4); (5); (6)</p>                                                                                                                                                  |                   |                   |
|                                                                                                                                                                       |                   |                   |

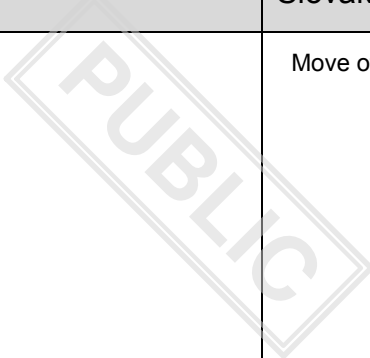
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Slovakia proposal | Slovakia comments   |
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| <p>1. <del>By way of derogation from Article 3, where exceptionally</del> <b>Member States may derogate</b> if the establishment of <b>or the connection</b> to a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3,</b> Member States shall ensure that individual systems for the <b>collection, storage and, when applicable,</b> treatment of <del>urban domestic</del> <b>urban</b> wastewaters ('individual systems') are used <b>for in</b> <del>for in</del> <b>agglomerations of 1 000 p.e. and above.</b></p> |                   | Adaptation welcomed |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                     |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <b><u>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</u></b></p> <p><b><u>This requirement will apply to existing individual systems six years after 2033.</u></b></p>                                                                                                         |                   | Adaptation welcomed |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                     |
| <p>3. <b>[NEW]</b> Member States shall ensure that <b>individual systems that are used in</b> agglomerations of 1 000 p.e. and above, <del>where individual systems are used</del> are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach,</b> are carried out by the appropriate authority <b>or other body authorised at national, or regional or local</b> level.</p>                                                                                                                                                            |                   |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                     |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Slovakia proposal                                                                                                                | Slovakia comments           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| <p><del>34. The Commission is empowered to adopt delegated implementing acts in accordance with the procedure referred to in Article 27 to supplement this Directive by that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for establishing minimum requirements or for:</del></p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>[24 months]</u> from the entry into force of this Directive.</b></p>                                                                                                                             | <p><b>The Commission will provide the requirements by <u>[24 12 months]</u> from the entry into force of this Directive.</b></p> | <p>Adaptation welcomed.</p> |
| <p><b>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <u>at national level</u> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems in each of the agglomerations in <u>each of the agglomerations</u>. That justification shall:</b></p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph 34 where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                                                                                                                                  |                             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                      | Slovakia proposal                                                                                                         | Slovakia comments                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <p><del>56.</del> The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>f24 months</u> from the entry into force of this Directive</b>.</p> | <p><b>The Commission will provide the format by <u>f24-12 months</u> from the entry into force of this Directive</b>.</p> | <p>Slovakia suggests to provide format as soon as possible.</p> |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | Slovakia proposal | Slovakia comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                       |                   |                   |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                      |                   |                   |
|                                                                                                                                                                                                                          |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |                   |                   |
| (7); (8)                                                                                                                                                                                                                 |                   |                   |
|                                                                                                                                                                                                                          |                   |                   |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of agglomerations</b> of 100 000 p.e. and above. |                   |                   |
|                                                                                                                                                                                                                          |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Slovakia proposal                                                                   | Slovakia comments                 |
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| <p>2. By 31 December <del>2025</del> <b>2027</b> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather <del>flow</del> <b>conditions</b>;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  | <p>Move of deadlines welcomed</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |                                   |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | Slovakia proposal | Slovakia comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b><u>each drainage area of</u></b> agglomerations referred to in paragraph 2 |                   |                   |
|                                                                                                                                                                                                                                 |                   |                   |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                           |                   |                   |
|                                                                                                                                                                                                                                 |                   |                   |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                         |                   |                   |
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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Slovakia proposal                                                                                                                           | Slovakia comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>24 months</u> from the entry into force of this Directive.</b></p> | <p><b>The Commission will provide the methodologies and formats by <u>24-12 months</u> from the entry into force of this Directive.</b></p> |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                             |                   |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <del>six</del> 5 years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                             |                   |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | Slovakia proposal | Slovakia comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
| <p>(11) 'secondary treatment'</p>                                                         |                   |                   |

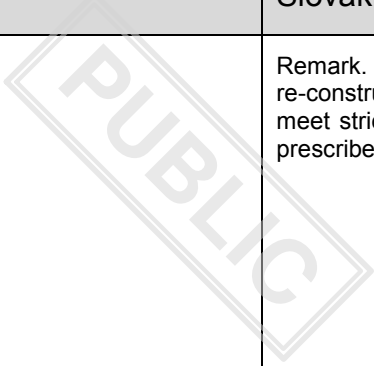
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Slovakia proposal | Slovakia comments                                                                                                                                               |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                                                                                                                                                                 |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                                                                                                                                                                 |
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| <p>1. <del>For agglomerations of 2 000 p.e. and above, Member States shall ensure that urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</del></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For</del> For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC <del>on [please insert the date = date if entry into force of this directive];</del>, the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p><del>(b) For</del> For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the <del>on [please insert the date = date if entry into force of this Directive]</del> <u>and fifteen years in the case of Madeira after the entry into force of this Directive.</u></p> |                   | <p>Remark. It is recommend to simplify text as it brings confusion and complicated interpretation. Should there is a reference to old directive 91/271/EEC?</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Slovakia proposal                                                                                                                                              | Slovakia comments       |
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| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> | <p>Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 2040</p> |                         |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     |                                                                                                                                                                | Adaptation welcomedHead |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                  | Slovakia proposal | Slovakia comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| 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. |                   |                   |
|                                                                                                                                                                                                                  |                   |                   |

# ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS

| New text proposal_Clusters1,3,5                                                    | Slovakia proposal | Slovakia comments                                                                   |
|------------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                                                                                     |
|                                                                                    |                   |                                                                                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                                                                                     |
| (16)                                                                               |                   |                                                                                     |
|                                                                                    |                   | Heading: “neutrality” is not realistic. Energy efficiency of WWTP should be a goal. |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Slovakia proposal                                                                   | Slovakia comments                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>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 <b>measures to reduce the use of energy</b> and or <b>enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |  | <p>Remark. Many WWTPs of 10,000 – 100,000 will be under re-construction/modernization in period 2025 - 2040 to meet stricter limits. What would be a value of the “audit” prescribed for 2030 and 2035?</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |                                                                                                                                                                                                             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Slovakia proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Slovakia comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040<sub>;</sub></p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p><del>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</del></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75-60</del> <b>50</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) <del>100-80</del> <b>80</b> % of the total annual energy used by such plants by 31 December 2040-<b>2045</b><sub>;</sub></p> | <p>Slovakia does not support any requirements of self-sufficiency and energy neutrality of WWTP.</p> <p>% targets in time horizon are not realistic. It is expected that in period 2030-2040, many WWTPs will undertake re-construction/modernization or will be newly built.</p> <p>“Green energy Europe” slogan should not “inflate” on burden of WWTP which contribute to “clean water Europe”.</p> <p>WWTP produce significant energy that is currently wasted. An objective should be that all energy produced by WWTP will be utilized. It seems complicated and (ambiguos) to manipulate with energy outsourced and internally produced, it create a space for manipulation.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                           |                           |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                     |                           |                           |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                           |                           |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | Slovakia proposal | Slovakia comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
| (3) 'non-domestic wastewater'                                                      |                   |                   |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Slovakia proposal | Slovakia comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |                   |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                   |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority <del>or appropriate body</del>.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <u>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</u></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <del>or appropriate body</del>:</p> <p>(a) consults <u>and informs</u> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <u>on request</u> 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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Slovakia proposal | Slovakia comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |

15 Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Slovakia proposal | Slovakia comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p>3. The <del>general binding rules regulations</del> and specific authorisations referred to in paragraph 1 of this Article shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                           |                   |                   |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> ten years.</p> <p>The <del>general binding rules regulations</del> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</p> <p>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the <del>provisions of the specific authorisations</del> shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                   |                   |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

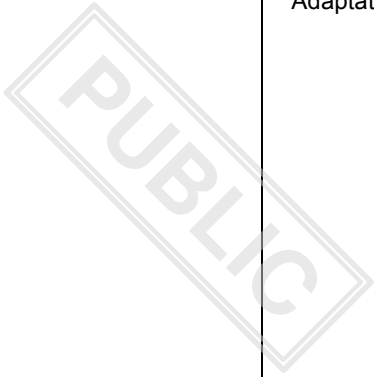
| New text proposal_Clusters1,3,5                                                           | Slovakia proposal | Slovakia comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Slovakia proposal | Slovakia comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                           |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                   |
| <p>2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>16</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |                   |                   |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | Slovakia proposal | Slovakia comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
| (21) 'antimicrobial resistance'                                                    |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |
| (22); (23)                                                                         |                   |                   |
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| <p><del>1. Member States shall monitor the presence of the following public health parameters in urban wastewater:</del></p> <ul style="list-style-type: none"> <li><del>(a) SARS-CoV-2 virus and its variants;</del></li> <li><del>(b) poliovirus;</del></li> <li><del>(c) influenza virus;</del></li> <li><del>(d) emerging pathogens;</del></li> <li><del>(e) contaminants of emerging concern;</del></li> <li><del>(f) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring.</del></li> </ul> <p>21. For the purpose of paragraph 1, Member States shall set up a national system for <del>permanent</del> cooperation and coordination between competent authorities responsible for public health and competent authorities responsible for urban wastewater treatment with regard to:</p> <p>(a) the identification of <del>other</del> <b>relevant</b> public health parameters <del>than the ones referred to in paragraph 1</del> that are to be monitored <b><u>at least in the inlet of</u></b> urban wastewater <b><u>treatment plants</u></b>, such as those in the following list:</p> <ul style="list-style-type: none"> <li><b>(i) SARS-CoV-2 virus and its variants <u>of interest</u>;</b></li> <li><b>(ii) poliovirus;</b></li> <li><b>(iii) influenza virus;</b></li> <li><b>(iv) emerging pathogens;</b></li> <li><b><u>(v) contaminants of emerging concern;</u></b></li> <li><b><u>(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;</u></b></li> </ul> <p>(b) the determination of the location and the frequency of urban wastewater sampling and analysis for each public health parameter identified in accordance with <del>paragraph 1(a)</del>, <b>taking into account thus regarding</b> the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;</p> <p>(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union</p> |  | <p>Adaptation welcomed, however,</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Slovakia proposal | Slovakia comments   |
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| platforms, where such platforms are available, <u>and in accordance with data protection law.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                     |
| <p>32. When a public health emergency <del>due to SARS-CoV-2</del> is declared by the competent authority responsible for public health in the Member State, <del>the presence of SARS-CoV-2 and its variants</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> <del>at least 70 % of the national population. Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and <del>more</del>. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency <del>due to SARS-CoV-2</del> has ended, <u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |                   | Adaptation welcomed |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |                     |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Slovakia proposal | Slovakia comments                                                                                                      |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The</del> <u>the</u> Commission shall <del>may</del> <u>shall</u> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> <u>a</u> uniform application of this Directive by <u>establishing a minimum frequency of sampling and</u> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                   |                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                                                                                                                        |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   | Not provided in Cluster 1, 3 and 5 – however, Slovakia request extended deadline in Art. 17 (and Art. 22(1), point g)) |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | Slovakia proposal | Slovakia comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
| <p>(14) 'sludge'</p>                                                                      |                   |                   |
|                                                                                           |                   |                   |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                   |                   |

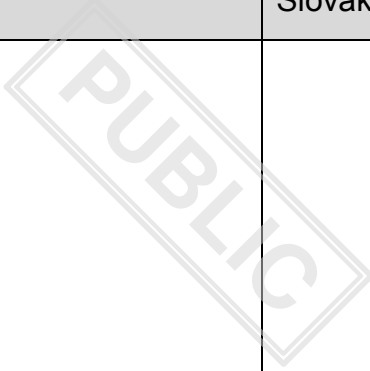


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Slovakia proposal | Slovakia comments |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |
| 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, <b>preparing for</b> reuse, <del>and recycling and other material recovery</del> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                      |                   |                   |
| 2. The Commission is empowered to adopt <del>delegated implementing</del> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                   |                   |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | Slovakia proposal | Slovakia comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Slovakia proposal | Slovakia comments                                                    |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                                                                      |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                                                                      |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</u></b>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e</del> <b>and above.</b></p> |                   | Slovakia does not support Art. 21 par. 1c) – it is not implementable |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                                                                      |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Slovakia proposal                                                                   | Slovakia comments |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  |                   |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <ul style="list-style-type: none"> <li>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</li> <li>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;</li> <li>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;</li> <li>(iv) Annexes I and II to Directive 86/278/EEC.</li> </ul> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> <p><del>4.</del> The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <del>6-7</del> months between the samples, for agglomerations of <del>100 000</del> <b>150.000</b> p.e. and <del>more above</del>;</p> | <p style="text-align: center; font-size: 48px; opacity: 0.3; transform: rotate(-30deg);">PUBLIC</p> | <p>Adaptation welcomed.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Slovakia proposal | Slovakia comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b><u>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</u></b></p> <p><b><u>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</u></b></p> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                   |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | Slovakia proposal | Slovakia comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Slovakia proposal | Slovakia comments   |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                     |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                     |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                     |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                   |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                   |                     |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   | Adaptation welcomed |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | Slovakia proposal | Slovakia comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.                                                                                                                                                            |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |                   |

**5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:**

**(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:**

**(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:**

**(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if**

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| New text proposal_Clusters1,3,5                                                                                                                    | Slovakia proposal | Slovakia comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                   |                   |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (34)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                           |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | Slovakia proposal | Slovakia comments |
|-------------------------------------------------------------------------------------------|-------------------|-------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                   |                   |
|                                                                                           |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Slovakia proposal | Slovakia comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |
| 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.                                                                                                                        |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |
| <del>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.</del> |                   | Deletion welcomed |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                   |                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                   |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                  | Slovakia proposal | Slovakia comments                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</u>                                                                                                         |                   |                                                                                                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                                                                                                                                                                             |
| <b>5 3.</b> Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                   | Unclear grammar “may establish ensure”....<br>Full article is not clear, we need to consult with authorities other authorities. Need time for justification of this article |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                           |                           |
|                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                           |                           |
| (35)                                                                               |                           |                           |
|                                                                                    |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                           |                           |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                           |                           |
|                                                                                                                  |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                           |                           |
| (36)                                                                                                             |                           |                           |
|                                                                                                                  |                           |                           |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                           |                           |

| New text proposal_Clusters1,3,5                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| implementation of the directive on urban wastewater treatment.                                      |                           |                           |
|                                                                                                     |                           |                           |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                           |                           |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |                           |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |                           |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                    | Slovakia proposal | Slovakia comments |
|------------------------------------------------------------------------------------|-------------------|-------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                   |                   |
|                                                                                    |                   |                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                   |                   |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Slovakia proposal | Slovakia comments                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                   | <p>This represents a significant burden on administration.</p> <p>Also, it is too early to carry out an evaluation in 2030 - many requirements are just to be applied and some requirements will be applied in horizon 2035-2045. We can support the "preliminary" evaluation in 2030, in case if the evaluation report will be produced purely from information reported by member states in line with Art. 21, 23 and 33 and no additional data will be requested.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                           |                           |
|                                                                                                                                                                                                                                        |                           |                           |
| 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. |                           |                           |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                           |                           |
| (42); (43)                                                                                                                                                                                                          |                           |                           |
|                                                                                                                                                                                                                     |                           |                           |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                           |                           |
|                                                                                                                                                    |                           |                           |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                           |                           |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                           |                           |
|                                                                                                                                                                                                   |                           |                           |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                           |                           |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                           |                           |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3) and in Article 8</b> <del>in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                          |                           |                           |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> <del>and included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                              |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments                                  |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedias shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedias <b>from being</b> released <b>into receiving waters</b> <del>the environment</del> .                   |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                           |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters                | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration             | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub>    | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|--------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC                    |                           |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                           |                           |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                           |                           |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                           |                           |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           | [Insert MS name] proposal        | [Insert MS name] comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------|---------------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> |                                                           | Table 4: Requirement for samples |                           | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                                  |                           |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------|----|---------------------------|---------------------------|
| 172-187                         | 14 | PUBLIC                    |                           |
| 188-203                         | 15 |                           |                           |
| 204-219                         | 16 |                           |                           |
| 220-235                         | 17 |                           |                           |
| 236-251                         | 18 |                           |                           |
| 252-268                         | 19 |                           |                           |
| 269-284                         | 20 |                           |                           |
| 285-300                         | 21 |                           |                           |
| 301-317                         | 22 |                           |                           |
| 318-334                         | 23 |                           |                           |
| 335-350                         | 24 |                           |                           |
| 351-365                         | 25 |                           |                           |

## C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                           |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [Insert MS name] proposal | [Insert MS name] comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                           |                           |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | [Insert MS name] proposal | [Insert MS name] comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                           |                           |
|                                                                                                                                                                             |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                           |                           |
| (12)                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                             |                           |                           |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | [Insert MS name] proposal                                                      | [Insert MS name] comments                |                           |                                                                    |                                                             |                                                                                |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------|---------------------------|--------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|--|--|
| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                  |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                               |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month <b>(see Note 1)</b></td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                          | One sample per month <b>(see Note 1)</b> | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One sample per month <b>(see Note 1)</b>                                       |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month             |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |                                          |                           |                                                                    |                                                             |                                                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | [Insert MS name] proposal | [Insert MS name] comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|---------------------------|
| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                           |                           |
|                                                                                                                                                                                                                                                                           |                           |                           |
| 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.                                                 |                           |                           |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | [Insert MS name] proposal | [Insert MS name] comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                           |                           |
|                                                                                                                                                                                                                                    |                           |                           |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                           | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                           |                           |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Insert MS name] proposal | [Insert MS name] comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                           |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                           |                           |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [Insert MS name] proposal | [Insert MS name] comments |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                           |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) <del>an indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                           |                           |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | [Insert MS name] proposal | [Insert MS name] comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                           |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                           |                           |

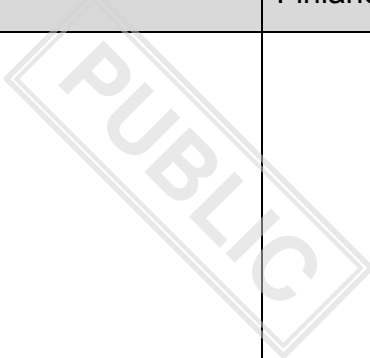
## FINLAND

### RECITALS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
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| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <del>elimination</del> <b>reduction</b> of greenhouse gas (GHG) emissions from urban wastewater collection and treatment activities, <del>notably by further reducing nitrogen emissions</del> but also by promoting energy efficiency and production of renewable energies, and thus should contribute to the 2050 objective of Climate</p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Finland proposal | Finland comments |
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| Neutrality established under Regulation (EU) 2021/1119 of the European Parliament and of the Council <sup>1</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                  |                  |
| (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, <b><u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u></b> <b><u>When delineating their agglomerations, Member States should take into account the indicative reference threshold of 10 to 25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u></b> Where <del>centralised collecting</del> <del>such</del> systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.                                                                                                                                                                                 |                  |                  |
| (6) <del>Exceptionally, where</del> <b><u>Where</u></b> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b><u>would not be technically feasible,</u></b> or <b><u>would</u></b> involve excessive costs, Member States should be allowed to use individual systems to <b><u>collect and</u></b> treat urban wastewater, as long as they ensure the same level of <b><u>protection of the environment</u></b> <del>treatment as secondary and tertiary treatment</del> . 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 |                  |                  |

<sup>1</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Finland proposal                                                                    | Finland comments |
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| <p>impervious and leak-proof, and that monitoring and inspection of the systems are carried out at regular and fixed intervals. <b><u>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                  |
| <p>(7) During rainfall, storm water overflows and urban runoff represent a sizeable remaining source of 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. 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. <b><u>In order to ensure an adequate coverage of the integrated management plans and a comprehensive solution to storm water problems, they should be established for each urban wastewater drainage area of the concerned agglomerations.</u></b></p> |                                                                                     |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Finland proposal | Finland comments |
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| <p><b>(8 bis)</b> 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. <b><u>Nevertheless enough time should be given to Member States to adapt their treatment infrastructures for agglomerations discharging their wastewaters into 'less sensitive areas' in coastal areas where 'appropriate treatment' is applied as defined in Council Directive 91/271/EEC. This adaptation time should be expanded in the case of Madeira due to the difficulty to install secondary treatment due to the specific geographical condition of the island.</u></b></p>                                                                                                                                                                                                                        |                  |                  |
| <p>(11) Recent scientific knowledge underpinning several Commission strategies<sup>2</sup> highlight the need to take action to address the issue of micropollutants, which are now detected <b><u>usually</u></b> in all waters in the Union. Some of those micropollutants are hazardous for public health and the environment even in <b><u>small quantities low concentrations of micrograms per litre or below</u></b>. An additional treatment, i.e. quaternary treatment, should therefore be introduced in order to ensure that a large spectrum of micropollutants is removed from urban wastewater. Quaternary treatment should first focus on organic micropollutants, 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</p> |                  |                  |

<sup>2</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Finland proposal | Finland comments |
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| <p>significant share of micropollutant discharges in the environment and the removal of micropollutants 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 micropollutants based on clear criteria, which should be specified. 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 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.</p> |                  |                  |
| <p>(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 Council<sup>3</sup>, by those urban wastewater treatment plants. <b><u>In order to take into</u></b></p>                                                                                                                                                                                                        |                  |                  |

<sup>3</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Finland proposal | Finland comments |
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| <p><u>account the specificities of each urban wastewater treatment plant, optimise the investments needed and provide for the required flexibility to reach the abovementioned objective, while ensuring that the potential for renewable energy production and for energy savings is fully seized, the energy neutrality objective should be met at national level and not for each treatment plant. All renewable energies produced by the urban wastewater treatment plant or from the transformation of urban wastewater residues, whether on-site or off-site, such as hydraulic, solar, thermal, wind energy or biogas, should be taken into account. A maximum share of 25% of renewable energy, not directly linked to urban wastewater treatment activities, may be purchased or produced from external sources.</u> 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 Council<sup>4</sup>. Encouraging EU-based biogas or solar energy production while enhancing energy efficiency measures in line with the Energy Efficiency First principle<sup>5</sup>, 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" Plan<sup>6</sup>. It is also in line with Directive (EU) 2018/844 of the European</p> |                  |                  |

<sup>4</sup> 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).

<sup>5</sup> 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.

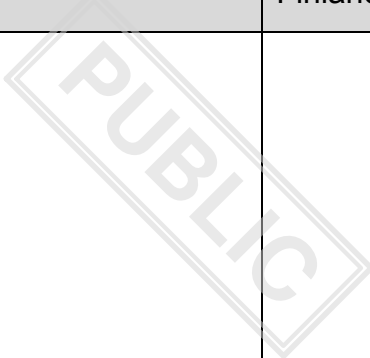
<sup>6</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: REPowerEU Plan (COM/2022/230 final).



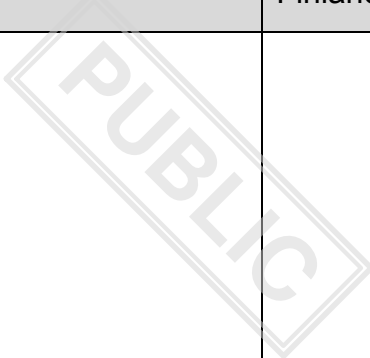
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Finland proposal | Finland comments |
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| <p>Parliament and of the Council<sup>7</sup> 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 Council<sup>8</sup> 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.</p>                                                                                                                                                                                                                                                  |                  |                  |
| <p>(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, microplastics, micropollutants and other chemicals. <b><u>This non-domestic wastewater may come from industries, or commercial establishments, or hospitals and other medical facilities, etc.</u></b> 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 reuse 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</p> |                  |                  |

<sup>7</sup> 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).

<sup>8</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Finland proposal                                                                    | Finland comments |
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| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                         |  |                  |
| <p><del>(18)</del> <b>(19 bis)</b> 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, 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 Council <sup>9</sup>.</p> |                                                                                     |                  |
| <p>(28) The evaluation concluded that sludge management could be improved to better align it with the principles of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |                  |

<sup>9</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Finland proposal                                                                    | Finland comments |
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| <p>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.</p> <p><b><u>The recovered nutrients shall be used as substitutes for primary nutrients, for example, in the production of fertilizers.</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                  |
| <p>(29) <del>Additional</del> <b><u>Adequate</u></b> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm-water</del> <b><u>sewer</u></b> overflows and <b><u>polluted</u></b> urban runoff <b><u>discharges</u></b>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, it is sufficient to monitor a limited set of representative micropollutants. 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |                                                                                     |                  |
| <p>(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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                     |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Finland proposal | Finland comments |
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| <p>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, <b><u>for the development of alternative indicators to load-based indicative objective of pollution reduction based for instance on volume, frequency of sewer overflows, or other relevant alternative indicator, and for establishing methodologies</u></b> to measure antimicrobial resistance and microplastics 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 Council<sup>10</sup>.</p> |                  |                  |
| <p>(39) Directive 91/271/EEC provides for specific deadlines for Mayotte due to its inclusion in 2014 as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union. Therefore, the application of the obligations to establish collecting systems and apply secondary treatment to urban wastewater from agglomeration of 2 000 p.e. and above should be deferred with respect to Mayotte.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
| <p><b>(39 bis) It is appropriate to consider the specific situation of Mayotte and the other Union's outermost regions, as listed in Article 349 of the TFEU, which provides for specific measures to support those regions. In terms of urban wastewater treatment of</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |

<sup>10</sup> 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).

| New text proposal_Clusters1,3,5                                                                  | Finland proposal | Finland comments |
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| these territories, special attention should be given to the difficult topography and insularity. |                  |                  |
|                                                                                                  |                  |                  |

## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Finland proposal | Finland comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
| (2); (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <u>to sustainable levels</u> 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. |                  |                  |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Finland proposal | Finland comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                  |
| For the purpose of this Directive, the following definitions apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                  |
| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater</del> <b>mixed with and either</b> non-domestic wastewater <del>and/or the mixture of domestic wastewater and</del> <b>with and</b> urban runoff, <b>or both of them</b> ;                                                                                                                                                                                                                                                                                                                        |                  |                  |
| (2) 'domestic wastewater' means wastewater from residential settlements, <del>and services</del> <b>and institutions</b> which originates predominantly from the human metabolism and/or from household activities;                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |
| (3) ' non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for <del>either the following</del> :<br><del>(a) the exercise of a trade;</del><br><del>(b) activities carried out by an institution;</del><br><del>(c) or industrial or economical activities;</del><br><u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Finland proposal | Finland comments |
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| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above)</del> for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to a <b>one or more</b> final discharge points, <u>into receiving waters</u> ; |                  |                  |
| (5) 'urban runoff' means <b>precipitation</b> <del>rainwater</del> from agglomerations collected by combined or separate sewers;                                                                                                                                                                                                                                                                                                                                                               |                  |                  |
| (6) ' <del>sewer storm water</del> overflow' means discharge of untreated urban wastewater <del>into</del> receiving waters from <b>separate or</b> combined sewers <del>caused by rainfall</del> ;                                                                                                                                                                                                                                                                                            |                  |                  |
| (7) 'collecting system' means a system of conduits which collects and conducts urban wastewater;                                                                                                                                                                                                                                                                                                                                                                                               |                  |                  |
| (8) 'combined sewer' means a <b>single</b> conduit <del>that that designed to</del> collects and conducts urban wastewater <u>including urban runoff</u> ; <del>including urban runoff</del> ;                                                                                                                                                                                                                                                                                                 |                  |                  |
| (9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or</b> <del>either of the following</del> :<br>(a) <del>domestic</del> <b>urban</b> wastewater <b>not including urban runoff</b> ;<br>(b) <del>non-domestic</del> wastewater <b>non-domestic wastewater</b> ;<br>(c) <del>a mixture of domestic and non-domestic wastewater</del> ;<br>(d) <del>rainwater from agglomerations</del> ;                                      |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                   | Finland proposal | Finland comments |
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| (10) <del>'1 population equivalent' or '(1 p.e.)' means the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load <del>per day</del> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day per day</del>;</del>                                     |                  |                  |
| (10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.         |                  |                  |
| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or another process <del>which reduces removes most of biodegradable organic matter in from</del> urban wastewater;                                                                                               |                  |                  |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <del>reduces removes most of</del> <u>by a process which removes</u> nitrogen and/or phosphorus from the urban wastewaters;                                                                                                                                                      |                  |                  |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <u>reduces</u> a broad spectrum of micropollutants <del>in from the from</del> urban wastewaters;                                                                                                                                                           |                  |                  |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <u>organic residue and inorganic sludge-residue</u> resulting from the treatment of urban wastewater in an urban wastewater treatment plant (excluding <del>debris, grit, grease, other debris</del> and any other screenings residues from the <del>first</del> <u>pre-treatment</u> step); |                  |                  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| (15) 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;                                                                                           |                  |                  |
| (16) 'micropollutant' means a substance, including its breakdown products, <del>that is usually present in the environment and urban wastewaters in low concentrations below milligrams per litre and</del> which can be considered hazardous to human health or the environment based on any of the <b>relevant</b> criteria set out in Part 3 and Part 4 of Annex I to Regulation EC <b>1272/2008</b> <sup>11</sup> ; |                  |                  |
| (17) 'dilution ratio' means the ratio <del>of between the last five years average volume of annual flow of the receiving waters at the point of discharge and to the last five years average of the annual discharge volume of urban wastewater into surface waters; discharged from a treatment plant;</del>                                                                                                           |                  |                  |
| (18) 'producer' means any manufacturer, importer or distributor that on a professional basis places products on the market of a Member State, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU means;                                                                                                                                                                        |                  |                  |
| (19) 'Producer Responsibility Organisation' means <del>an</del> <b>nationally recognised</b> organisation established collectively by producers for the purpose of fulfilling their obligations under Article 9 <b>and 10</b> ;                                                                                                                                                                                         |                  |                  |
| (20) 'sanitation' means facilities and services for the safe disposal of human urine, faeces, and menstrual blood;                                                                                                                                                                                                                                                                                                      |                  |                  |

<sup>11</sup> 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                      | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| (21) 'antimicrobial resistance' means the ability of micro-organisms to survive or to grow in the presence of a concentration of an antimicrobial agent which is usually sufficient to inhibit or kill micro-organisms of the same species;                                                                          |                  |                  |
| (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; |                  |                  |
| (23) 'plastic biomedica' means a plastic support used for the development of the bacteria needed for the treatment of urban wastewaters;                                                                                                                                                                             |                  |                  |
| (24) 'placing on the market' means the first making available of a product on the market of a Member State                                                                                                                                                                                                           |                  |                  |
| (25) <b>'load' means the amount of organic biodegradable matter measured as BOD5 in urban wastewater, expressed in p.e., or any pollutant or nutrient in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</b>                                                           |                  |                  |

### ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |                  |                  |
| (1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent' |                  |                  |
|                                                                                                                                                                |                  |                  |

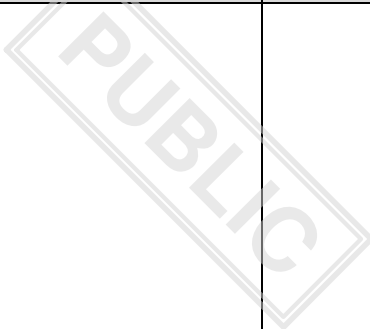
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Finland proposal | Finland comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                  |
| (4); (5); (6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                  |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations <del>with a p.e. of 2 000 p.e. and above</del> comply with the following requirements:</p> <p>(a) they are provided with collecting systems;</p> <p>(b) all their sources of <del>domestic urban</del> wastewater are connected to the collecting system.</p>                                                                                                                                                                                                                                          |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                  |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del>, Member States shall ensure that <del>all</del> agglomerations <del>with a p.e. of</del> between 1000 and 2000 <del>p.e.</del> comply with the following requirements of paragraph 1 by 31 December 2033:</p> <p><del>(a) they are provided with collecting systems;</del></p> <p><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
| <p>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</p>                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |

#### ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                       | Finland proposal | Finland comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                                             |                  |                  |
| <p>(1) 'urban wastewater'; (2) 'domestic wastewater'; (3) 'non-domestic wastewater'; (4) 'agglomeration'; (7) 'collecting system'; (10) '1 population equivalent'</p> |                  |                  |
|                                                                                                                                                                       |                  |                  |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                                   |                  |                  |
| <p>(4); (5); (6)</p>                                                                                                                                                  |                  |                  |
|                                                                                                                                                                       |                  |                  |

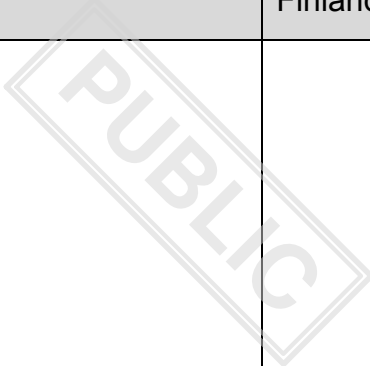
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Finland proposal | Finland comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>1. <del>By way of derogation from Article 3, where exceptionally</del> <b>Member States may derogate</b> if the establishment of <b>or the connection</b> to a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3,</b> Member States shall ensure that individual systems for the <b>collection, storage and, when applicable,</b> treatment of <del>urban domestic</del> <b>urban</b> wastewaters ('individual systems') are used <b>for in</b> <del>for in</del> <b>agglomerations of 1 000 p.e. and above.</b></p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <b><u>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</u></b></p> <p><b><u>This requirement will apply to existing individual systems six years after 2033.</u></b></p>                                                                                                         |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| <p>3. <b>[NEW]</b> Member States shall ensure that <b>individual systems that are used in</b> agglomerations of 1 000 p.e. and above, <del>where individual systems are used</del> are registered in a <del>public</del> <b>national, or regional or local</b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach,</b> are carried out by the appropriate authority <b>or other body authorised at national, or regional or local</b> level.</p>                                                                                                                                                            |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Finland proposal                                                                    | Finland comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------|
| <p><del>34.</del> The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in <del>accordance with the procedure referred to in Article 27 to supplement this Directive by that</del> <b>shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</b> establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2</del> <b>3, on the basis of a risk-based approach</b> <del>second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>[24 months]</u> from the entry into force of this Directive.</b></p>                                                                           |  |                  |
| <p><b>45.</b> Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems <del>in each of the agglomerations</del> <b>in each of the agglomerations</b>. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <del>34</del> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |                                                                                     |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                     |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                          | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by <u>24 months</u> from the entry into force of this Directive.</b></p> |                  |                  |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                          | Finland proposal | Finland comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                       |                  |                  |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'; (9) 'separate sewer'                                                                                                      |                  |                  |
|                                                                                                                                                                                                                          |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                             |                  |                  |
| (7); (8)                                                                                                                                                                                                                 |                  |                  |
|                                                                                                                                                                                                                          |                  |                  |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b>each drainage area of agglomerations</b> of 100 000 p.e. and above. |                  |                  |
|                                                                                                                                                                                                                          |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Finland proposal                                                                    | Finland comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------|
| <p>2. By 31 December <del>2025</del> <b>2027</b> <b>2030</b> Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, <b>modelling</b> and state-of-the-art climate projections, one or more of the following conditions apply:</p> <p>(a) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> poses a risk to the environment or human health;</p> <p>(b) <del>sewer storm water</del> overflow represents more than <del>4%</del> <b>3%</b> of the annual collected urban wastewater load <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I</b>, calculated in dry weather flow conditions;</p> <p>(c) <del>sewer storm water</del> overflow or <b><u>polluted discharges of</u></b> urban runoff <del>discharges</del> prevents the fulfilment of any of the following:</p> <p>(i) the requirements established under Article 5 of Directive (EU) 2020/2184;</p> <p>(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>12</sup>;</p> <p>(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>13</sup>;</p> <p>(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><b>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>14</sup></b></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |                  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | Finland proposal | Finland comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| 3. By 31 December <del>2035</del> <b>2040</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b><u>each drainage area of</u></b> agglomerations referred to in paragraph 2 |                  |                  |
|                                                                                                                                                                                                                                 |                  |                  |
| 4. Integrated urban wastewater management plans shall be made available to the Commission on request.                                                                                                                           |                  |                  |
|                                                                                                                                                                                                                                 |                  |                  |
| 5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.                                                                                                                         |                  |                  |
|                                                                                                                                                                                                                                 |                  |                  |

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<sup>12</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>13</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>14</sup> **Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration**

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Finland proposal | Finland comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by <u>124 months</u> from the entry into force of this Directive.</b></p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
| <p>7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six 5</b> years after their establishment and updated where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                  |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                           | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                  |                  |
| <p>(11) 'secondary treatment'</p>                                                         |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Finland proposal | Finland comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                  |
| (12); (8bis)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                  |
| <p>1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that <b>urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above</b> urban wastewater entering collecting systems is subject to <b>meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.</b></p> <p><del>For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, the obligation set out in the first paragraph shall not apply until 31 December 2027 for:</del></p> <p><del>(a) For</del> <b>For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC on [please insert the date = date if entry into force of this directive];</b> the obligations set out in the first paragraph shall not apply until 31 December 2030.</p> <p><del>(b)</del> <b>For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the on [please insert the date = date if entry into force of this Directive] and fifteen years in the case of Madeira after the entry into force of this Directive.</b></p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to <del>meet the relevant requirements for secondary treatment or an equivalent treatment set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |                  |                  |
| <p>3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I.</p> <p><u>3. Urban wastewater discharges to waters situated in high mountain regions (over 1500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies demonstrate that such discharges do not adversely affect the environment and that those studies are communicated to the Commission on request.</u></p>                     |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                  | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| 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. |                  |                  |
|                                                                                                                                                                                                                  |                  |                  |

**ARTICLE 11 – ENERGY ~~AND CLIMATE~~ NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS ~~AND COLLECTING~~ SYSTEMS**

| New text proposal_Clusters1,3,5                                                    | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                  |                  |
|                                                                                    |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                  |                  |
| (16)                                                                               |                  |                  |
|                                                                                    |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Finland proposal | Finland comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas</b> methane emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Finland proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Finland comments                                                                                                                                                                                                                                                                                           |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources, the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above is equivalent to at least, based on the results of the audits referred to in paragraph 1.:</u></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040;</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure that, at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above use energy from renewable sources as defined in Article 2(1) of Directive (EU) 2018/2001, <b>so that the share of energy from renewable sources of total annual energy used by these plants accounts for at least:</b></p> <p>(a) 20 % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) 60% of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100 % of the total annual energy used by such plants by 31 December 2040.</p> <p>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to extent of:</p> <p>(a) 50 % by 31 December 2035;</p> <p>(b) 75% by 31 December 2040;</p> <p>(c) 100 % by 31 December 2045.</p> <p><b>The energy from urban wastewater resources can be produced on or off-site.</b></p> | <p>It is essential that urban wastewater treatment plants gradually switch to using renewable energy to cover their entire energy consumption.</p> <p>The renewable energy available from urban wastewater resources, as demonstrated by the energy audits, must be used gradually in its full extent.</p> |

## ARTICLE 13 – LOCAL CLIMATIC CONDITIONS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                     | Finland proposal | Finland comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                  |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                     |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                        |                  |                  |
| (18)                                                                                                                                                                                                                                                                                                                                                                |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                     |                  |                  |
| Member States shall ensure that the urban wastewater treatment plants built to comply with the requirements set out in Articles 6, 7, and 8 are designed, constructed, operated and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account. |                  |                  |

## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                    | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                  |                  |
| (3) 'non-domestic wastewater'                                                      |                  |                  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Finland proposal | Finland comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
| (19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> regulations and/or specific authorisations by the competent authority <del>or appropriate body</del>.</p> <p>Those <del>general binding rules</del> prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, <del>and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</del></p> <p>Where <del>general binding rules</del> regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the competent authority <del>or appropriate body</del>:</p> <p>(a) consults <del>and informs</del> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <del>on request</del> 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.</p> <p>(c) <u>Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Finland proposal | Finland comments |
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| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <b>general binding rules regulations and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>15</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |

<sup>15</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Finland proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Finland comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>3. The <del>general binding rules regulations and</del> specific authorisations referred to in paragraph 1 <del>of this Article</del> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                          | <p>3. The <del>general binding rules regulations and</del> specific authorisations referred to in paragraph 1 <del>of this Article</del> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt <del>delegated implementing</del> acts in accordance with the procedure referred to in Article 28<del>7</del> to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p> | <p>As a compromise the delegated act should be changed to implemented act because the procedure would then stay as comitology procedure as it is in the current directive (91/271/ETY). The EC has justified that the same delegated power is also in the directive 91/271/ETY but according to FI understanding this 18 § in the directive 91/271/ETY refers actually to comitology procedure, where the MSs have a representative. It is very important that the procedure will remain as it is.</p> |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules regulations</del> referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes <del>updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| (3) 'non-domestic wastewater'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                           |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| <p>2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:</p> <p>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council<sup>16</sup>;</p> <p>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge').</p> |                  |                  |

16 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                  |                  |
| (21) 'antimicrobial resistance'                                                    |                  |                  |
|                                                                                    |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                  |                  |
| (22); (23)                                                                         |                  |                  |
|                                                                                    |                  |                  |

~~1. Member States shall monitor the presence of the following public health parameters in urban wastewater:~~

~~(a) SARS-CoV-2 virus and its variants;~~

~~(b) poliovirus;~~

~~(c) influenza virus;~~

~~(d) emerging pathogens;~~

~~(e) contaminants of emerging concern;~~

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

21. 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:

(a) the identification of ~~other~~ **relevant** public health parameters ~~than the ones referred to in paragraph 1~~ that are to be monitored **at least in the inlet of** urban wastewater **treatment plants**, such as those in the following list:

**(i) SARS-CoV-2 virus and its variants of interest;**

**(ii) poliovirus;**

**(iii) influenza virus;**

**(iv) emerging pathogens;**

**(v) contaminants of emerging concern;**

**(vi) (v) any other public health parameters that are considered relevant by the competent authorities of the Member States for monitoring;**

(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(a), ~~taking into account~~ **thus regarding** the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;

(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Finland proposal | Finland comments |
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| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                  |                  |
| <p><del>32. 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</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency due to SARS-CoV-2 has ended, <b><u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></b></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>17</sup></b>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations <del>and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>18</sup>.</del></p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                  |                  |

<sup>17</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>18</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by <del>1 January 2025</del> <b>2026</b> <u>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</u>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p>By <u>[OP please insert the date = the last day of the second year from the date of entry into force of this Directive]</u>, <del>The the</del> Commission <del>shall</del> <b>may shall</b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an a</del> uniform application of this Directive by <b>establishing a minimum frequency of sampling and</b> a harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |

## ARTICLE 20 – SLUDGE AND RESOURCE RECOVERY

| New text proposal_Clusters1,3,5                                                           | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                  |                  |
| <p>(14) 'sludge'</p>                                                                      |                  |                  |
|                                                                                           |                  |                  |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                  |                  |

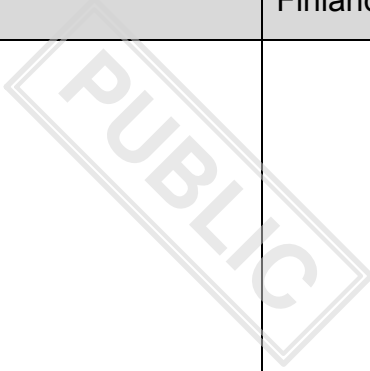


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Finland proposal | Finland comments |
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| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
| 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, <b>preparing for</b> reuse, and recycling and <b>other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts in <del>accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting to set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge, <del>and from urban wastewater not reused under the derogation of Article 15(1), taking in order to take</del> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery, <del>in sludge and wastewater</del> . Those <b>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |                  |                  |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                  |                  |
|                                                                                    |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Finland proposal | Finland comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants in order to verify compliance with the requirements of <del>part</del> <b>Part B</b> of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>and, this monitoring shall include</del> <b>including</b> loads and concentrations of the parameters listed in <del>Part B</del> <b>Tables 1, and 2 and 3</b> of Annex I;</p> <p>(b) amounts, composition and destination of sludge, <b>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture</b>;</p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(2 1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of above 10 000 p.e. and above, by means of analysis, calculations or modelling where appropriate;</b></p> <p>(e) <del>the greenhouse gases methane produced and</del> <b>the energy used and produced by urban wastewater treatment plants of above 10 000 p.e and above.</b></p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Finland proposal                                                                    | Finland comments |
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| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b>polluted discharges of</b> urban runoff <del>discharged</del> into water bodies <b>in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</b></p> |  |                  |

3. For all agglomerations of ~~above~~ 10 000 p.e. **and above**, Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:

(a) pollutants **that are expected to be found in urban wastewaters** listed in:

(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;

(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>19</sup>;

(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>20</sup>;

(iv) Annexes I and II to Directive 86/278/EEC.

(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;

(c) the presence of microplastics.

**[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.**

For all agglomerations of above 10 000 p.e., Member States shall **ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant** monitor the presence of micro-plastics in the sludge **when relevant and, notably, when it is reused in agriculture**.

**4.** The monitoring referred to in ~~the first and second sub~~ **this** paragraphs **3** shall be carried out with the following frequencies:

(a) at least two samples per year, with maximum ~~6-7~~ months between the samples, for agglomerations of ~~100 000~~ **150.000** p.e. and ~~more above~~;

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b>[NEW] The This monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below standards applicable Environmental Quality Standards under Directive 2008/105/EC or below detection limits or below limits of quantification during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</b></p> <p><b>5. 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 greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</b></p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                           | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                  |                  |

- 19 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 20 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Finland proposal | Finland comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty-fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                            | Finland proposal | Finland comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |
| 3. Member States shall update their national implementation programmes at least every <del>5</del> 6 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.                                                                                                                                                                   |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2) <b><u>no later than [OP please insert the date = the last day of the sixth month from the date of entry into force of this Directive].</u></b> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |

**5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:**

**(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:**

**(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:**

**(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**(ii) the national implementation programme includes:**

**- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and**

**- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;**

**The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if**

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| New text proposal_Clusters1,3,5                                                                                                                    | Finland proposal | Finland comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |                  |                  |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | Finland proposal | Finland comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                  |                  |
|                                                                                    |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                  |                  |
| (34)                                                                               |                  |                  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Finland proposal | Finland comments |
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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</b></p> <p>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.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |                  |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                  |                  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Finland proposal | Finland comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                  |
| 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.                                                                                                                        |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                  |
| <del>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.</del> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                  |
| 3 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                                         |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                  | Finland proposal | Finland comments |
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| <u>4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.</u>                                                                                                         |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                  |
| <b>5 3.</b> Member States <del>shall ensure that</del> <b>may establish</b> ensure that the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1 |                  |                  |

## ARTICLE 27 – EXERCISE OF THE DELEGATION

| New text proposal_Clusters1,3,5                                                    | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |                  |                  |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |                  |                  |
| (35)                                                                               |                  |                  |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Finland proposal | Finland comments |
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| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
| 2. The power to adopt delegated acts referred to in Articles 4(3), <del>6(3)</del> , 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. |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
| 3. The delegation of power referred to in Articles 4(3), <del>6(3)</del> , 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.                                                                                                                      |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
| 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Finland proposal | Finland comments |
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| 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| 6. A delegated act adopted pursuant to Articles 4(3), <del>6(3)</del> , 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. |                  |                  |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                                                  | Finland proposal | Finland comments |
|------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                               |                  |                  |
|                                                                                                                  |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                     |                  |                  |
| (36)                                                                                                             |                  |                  |
|                                                                                                                  |                  |                  |
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and |                  |                  |

| New text proposal_Clusters1,3,5                                                                     | Finland proposal | Finland comments |
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| implementation of the directive on urban wastewater treatment.                                      |                  |                  |
|                                                                                                     |                  |                  |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |                  |                  |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| <p><b>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the breach, taking into account specificities of Small and Medium Enterprises.</del></p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Finland proposal | Finland comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:</p> <p>(a) the nature, gravity, and extent of the violation <b>infringement</b>;</p> <p><del>(b) the intentional or negligent character of the violation;</del></p> <p><del>(c)</del> <b>(b)</b> the population or the environment affected by the violation <b>infringement</b>, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment.;</p> <p><b>(c) the repetitive or singular character of the infringement;</b></p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                  |                  |
| <p>3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                  |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                           | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |                  |                  |
|                                                                                           |                  |                  |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |                  |                  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Finland proposal | Finland comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                  |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                  |
| <p>2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                  |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |                  |                  |
|                                                                                                                                                                                                                                        |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |                  |                  |
|                                                                                                                                                                                                                                        |                  |                  |
| 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. |                  |                  |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                                                                                                                                                     | Finland proposal | Finland comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                  |                  |                  |
|                                                                                                                                                                                                                     |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                        |                  |                  |
| (42); (43)                                                                                                                                                                                                          |                  |                  |
|                                                                                                                                                                                                                     |                  |                  |
| 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p>substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                    | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p>                                                          |                  |                  |
|                                                                                                                                                    |                  |                  |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>                                                                |                  |                  |
|                                                                                                                                                    |                  |                  |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | Finland proposal | Finland comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive]. |                  |                  |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                                                                                                                                   | Finland proposal | Finland comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                |                  |                  |
|                                                                                                                                                                                                   |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                      |                  |                  |
|                                                                                                                                                                                                   |                  |                  |
| <p>This Directive is addressed to the Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |                  |                  |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Finland proposal | Finland comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater</b>,</li> <li>- <b>prevention of inflow and infiltration into the collecting systems</b>,</li> <li>- limitation of pollution of receiving waters due to <del>storm-water</del> <b>sewer</b> overflows <b>considering the relevant requirements in Article 5 and annex V.</b></li> </ul> |                  |                  |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                          | Finland proposal | Finland comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                       |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                             |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                                                                                                                                     |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in</b> <del>subject to treatment in accordance with Articles 6, 7 and 8</del> shall meet the requirements shown in Table 1 <b>of this Annex</b>                                                                                                                               |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
| 3. Discharges from urban wastewater treatment plants referred to in <del>paragraph 1 and 3</del> Article 7(1) <b>or serving agglomerations referred to in Article 7(3)</b> and in <del>Article 8 in accordance with those Articles</del> shall, in addition to the requirements referred to in point 2, meet the requirements <del>shown</del> in Table 2 of this Annex. |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                          |                  |                  |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and <del>included in the list referred to in Article 8(24)</del> shall, in addition to the <del>requirements referred to in points 2 and 3,</del> meet the requirements set out in Table 3 <b>of this Annex.</b>                                              |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                               | Finland proposal       | Finland comments                                           |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------|------------------------------------------------------------|---------------------------------|---------------------------------------|------------------------|---------------------------------|---------------------------------------------|--|--|
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedial shall include an obligation to <del>permanently</del> monitor and prevent <del>all unintentional</del> <b>such</b> biomedial <b>from being released into receiving waters</b> <del>the environment</del> .                          |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                                                                                |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                                                                        |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
|                                                                                                                                                                                                                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| Table 1: Requirements for discharges from urban wastewater treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                                                                               |                        |                                                            |                                                            |                                 |                                       |                        |                                 |                                             |  |  |
| <table><tr><td>Parameters</td><td>Concentration</td><td>Minimum percentage of reduction (see Note 4)<sup>24</sup></td><td>Reference method of measurement</td></tr><tr><td>Biochemical oxygen demand (BOD5 at 20</td><td>25 mg/l O<sub>2</sub></td><td>70-90<br/>40 under Article 4 (2)</td><td>Homogenized, unfiltered, undecanted sample.</td></tr></table> | Parameters             | Concentration                                              | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement | Biochemical oxygen demand (BOD5 at 20 | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2) | Homogenized, unfiltered, undecanted sample. |  |  |
| Parameters                                                                                                                                                                                                                                                                                                                                                    | Concentration          | Minimum percentage of reduction (see Note 4) <sup>24</sup> | Reference method of measurement                            |                                 |                                       |                        |                                 |                                             |  |  |
| Biochemical oxygen demand (BOD5 at 20                                                                                                                                                                                                                                                                                                                         | 25 mg/l O <sub>2</sub> | 70-90<br>40 under Article 4 (2)                            | Homogenized, unfiltered, undecanted sample.                |                                 |                                       |                        |                                 |                                             |  |  |

<sup>24</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                        |                         |                              |                                                                                                                                                                                                                                                                                                               | Finland proposal | Finland comments |
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| °C) without nitrification (see Note 1)                                                                 |                         | <b>40 under Article 6(3)</b> | Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor                                                                                                                                                           | PUBLIC           |                  |
| Chemical oxygen demand (COD) (See Note 2)                                                              | 125 mg/l O <sub>2</sub> | 75                           | Homogenized, unfiltered, undecanted sample<br>Potassium dichromate                                                                                                                                                                                                                                            |                  |                  |
| Total Organic Carbon (See Note 2)                                                                      | 37 mg/l                 | 75                           | EN 1484                                                                                                                                                                                                                                                                                                       |                  |                  |
| Total suspended solids                                                                                 | 35 mg/l (see Note 3)    | 90 (see Note 3)              | <ul style="list-style-type: none"> <li>– Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing</li> <li>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</li> </ul> |                  |                  |
| Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen |                         |                              |                                                                                                                                                                                                                                                                                                               |                  |                  |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Finland proposal                                          | Finland comments |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|------------------|-------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|--|--|
| <p>demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</p> <p>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</p> <p>Note 3: This requirement is optional.</p> <p><b>Note 4: Reduction in relation to the load of the influent.</b></p>                                                                                                                                                                                                                                                                                                                   |                                                           |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| <table><tr><th colspan="2">Table 4: Requirement for samples</th></tr><tr><th>Series of samples taken in any year</th><th>Maximum permitted number of samples which fail to conform</th></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr></table> | Table 4: Requirement for samples                          |                  | Series of samples taken in any year | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 |  |  |
| Table 4: Requirement for samples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Maximum permitted number of samples which fail to conform |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9                                                         |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 10                                                        |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11                                                        |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 12                                                        |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 13                                                        |                  |                                     |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | Finland proposal | Finland comments |
|---------------------------------|----|------------------|------------------|
| 172-187                         | 14 | PUBLIC           |                  |
| 188-203                         | 15 |                  |                  |
| 204-219                         | 16 |                  |                  |
| 220-235                         | 17 |                  |                  |
| 236-251                         | 18 |                  |                  |
| 252-268                         | 19 |                  |                  |
| 269-284                         | 20 |                  |                  |
| 285-300                         | 21 |                  |                  |
| 301-317                         | 22 |                  |                  |
| 318-334                         | 23 |                  |                  |
| 335-350                         | 24 |                  |                  |
| 351-365                         | 25 |                  |                  |

### C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Finland proposal | Finland comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                  |
| <p>1. The <del>prior general binding rules</del> <b>prior regulations and/or</b> specific authorisations referred to in Article 14(1) shall ensure the following:</p> <p>(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of <b><u>nutrients or other materials from urban wastewater or</u></b> sludge;</p> <p>(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;</p> <p>(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant <del>except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)</del>;</p> <p>(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values <b>applicables according to this Directive</b> <del>set in accordance with Article 15(3) of that Directive and any additional</del></p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Finland proposal | Finland comments |
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| <p>measures taken in accordance with Article 18 of that Directive;</p> <p>(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate the <del>good ecological status or potential or good chemical</del> <u>good</u> status of the receiving water body, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.</p> <p><del>2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |                  |                  |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                             | Finland proposal | Finland comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                          |                  |                  |
|                                                                                                                                                                             |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                |                  |                  |
| (12)                                                                                                                                                                        |                  |                  |
|                                                                                                                                                                             |                  |                  |
| 1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5. <b>All methods of analysis shall comply with</b> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Finland proposal                                                               | Finland comments                         |                           |                                                                    |                                                             |                                                                                |  |  |
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| <p><b>minimum performance criteria as the ones defined in the Directive 2009/90/EC and other relevant rules.</b></p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p>                                                                                                                                                                  |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>2. 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 micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                               |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month <b>(see Note 1)</b></td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 p.e. <b>or above</b><br/><del>to 99 999 p.e.:</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr></table> | — 1000 to 9 999 p.e.:                                                          | One sample per month <b>(see Note 1)</b> | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |  |  |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One sample per month <b>(see Note 1)</b>                                       |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Two samples per month<br>For micropollutants, one sample per month             |                                          |                           |                                                                    |                                                             |                                                                                |  |  |
| — 50 000 p.e. <b>or above</b><br><del>to 99 999 p.e.:</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One sample per week<br>For micropollutants, two samples per week <b>month.</b> |                                          |                           |                                                                    |                                                             |                                                                                |  |  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | Finland proposal | Finland comments |
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| <div> <div>—100.000 p.e. or over:</div> <div>           One <del>Two</del> samples per day <del>week</del><br/>           For <del>micropollutants, two</del> <del>one</del> sample per week         </div> </div> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                  |                  |
| <p>4. The treated <u>urban</u> wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall be conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> |  |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                           | Finland proposal | Finland comments |
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| 5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del> . Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain. |                  |                  |
|                                                                                                                                                                                                                                                                           |                  |                  |
| 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.                                                 |                  |                  |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                    | Finland proposal | Finland comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                 |                  |                  |
|                                                                                                                                                                                                                                    |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                       |                  |                  |
|                                                                                                                                                                                                                                    |                  |                  |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry<br>6. Breweries<br>7. Production of alcohol and alcoholic beverages |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                           | Finland proposal | Finland comments |
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| 8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |                  |                  |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER **AND POLLUTED URBAN RUNOFF** MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Finland proposal | Finland comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                  |
| 1. An analysis of the initial situation of the <del>drainage catchment</del> <b>drainage</b> area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network and the existing urban wastewater treatment capacities in case of rainfall;<br>(b) a dynamic analysis of the flows of urban runoff, <b><u>polluted urban runoff</u></b> and urban wastewaters in |                  |                  |



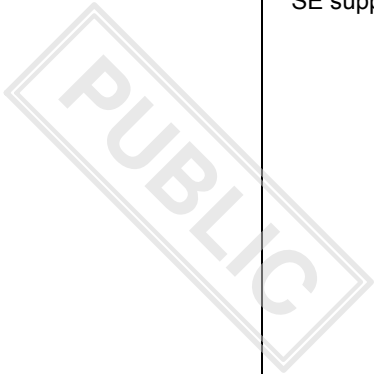
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Finland proposal | Finland comments |
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| <p>case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                  |
| <p>2. Objectives for the reduction of pollution from <del>storm water sewer</del> overflows and <b><u>polluted discharges of</u></b> urban runoff <b><u>discharges</u></b>, including the following:</p> <p>(a) <del>an indicative</del> <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective</del> <b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del> <b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del> <b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers collection networks</del>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation</b> of receiving waters;</p> <p>(c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b></p> |                  |                  |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Finland proposal | Finland comments |
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| 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 <del>implantation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                  |                  |
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| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |                  |                  |

## SWEDEN

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SE proposal | SE comments |
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| <i>Recitals amended:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p>(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. <b><u>Urban wastewaters can be formed by different mixtures of domestic wastewaters, urban runoff and non-domestic wastewater from other origins. Wastewater from institutions such as offices, schools, kitchens with food preparation, etc. which are predominantly originated from the human metabolism, qualifies as domestic wastewaters as well.</u></b> Its objective is to protect the environment from being 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 <b>elimination</b> 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 Council<sup>3</sup>.</p> |             |             |
| <p>(4) Small agglomerations constitute a significant pressure on 11 % of the surface water bodies in the Union. 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |

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| <p>(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, <u>unless they justify a derogation for the use of individual systems under paragraph 1 of Article 4.</u> When delineating their agglomerations, Member States should take into account the <u>indicative</u> reference threshold of <u>10-25 p.e. per hectare above which the population, possibly combined with economic activities, located in a specific area are considered sufficiently concentrated.</u> Where collecting systems are already in place, Member States should ensure that all sources of urban wastewater are connected to them.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                    |
| <p>(6) <del>Exceptionally, where</del> <u>Where</u> it can be demonstrated that the establishment of a centralised urban wastewater collecting system would produce no environmental benefit, <b>would not be technically feasible</b>, or <b>would</b> 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 <b>protection of the environment</b> <del>treatment as secondary and tertiary treatment</del>. 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. <b>Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</b></p> | <p>(6) Where it can be demonstrated that the establishment of <b>or the connection to an centralised</b> urban wastewater collecting system would produce no environmental benefit, would not be technically feasible, or would 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 protection of the environment. For this purpose, Member States should establish <b>national</b> 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. Where individual systems are used to collect and treat more than 2% of the urban wastewater load at national level from agglomerations of 2 000 p.e. and above, Member States should provide the Commission with justifications for the reasons for the use of individual systems instead of collecting systems, the level of compliance of those systems with established standards under this Directive and measures taken to reduce the use of such systems. The Commission should be empowered to adopt implementing acts to establish the format of the reporting and the level of details of the information to be provided by national authorities.</p> | <p>SE suggests including “or the connection to” to harmonise the language with article 4.1. We also suggest deleting the word “national” since article 4.3 allows all administrative levels for the registers.</p> |

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| <p>(29) <del>Additional Adequate</del> monitoring is necessary to verify compliance with the new requirements concerning micropollutants, non-domestic pollution, energy neutrality, GHG emissions, <del>storm water</del> sewer overflows and <del>polluted</del> urban runoff <del>discharges</del>. <b><u>Microplastics and relevant micropollutants should be monitored, where relevant, in sewer overflow discharges with a representative sampling programme which would inform concentration adopted for water quality modelling. This monitoring should be updated on a regular basis to ensure the modelling continues to be representative of local conditions.</u></b> To verify the performance of the quaternary treatment concerning the reduction of micropollutants in urban wastewater discharges, 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 Programme, and more specifically feed the Zero Pollution Monitoring Framework underpinning it.</p> |  | <p>SE support the suggested changes.</p> |
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## ARTICLE 1 – SUBJECT MATTER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SE proposal | SE comments |
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| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
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| 1. This Directive lays down rules on the collection, treatment, and discharge of urban wastewater, to protect the environment and human health while progressively <del>eliminating</del> <b>reducing</b> greenhouse gas emissions <del>to</del> <b>sustainable levels</b> 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. |             |             |

## ARTICLE 2 - DEFINITIONS

| New text proposal_Clusters1,3,5                                              | SE proposal | SE comments |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i> |             |             |
|                                                                              |             |             |
| For the purpose of this Directive, the following definitions apply:          |             |             |
|                                                                              |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SE proposal                                                                                                                                                                                                                                                                                                                                                  | SE comments                                                                                                                                                                                                                                                                                                            |
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| (1) 'urban wastewater' means domestic wastewater <del>or, the mixture of domestic wastewater mixed with and either non-domestic wastewater and/or the mixture of domestic wastewater and with</del> urban runoff <b>or both of them;</b>                                                                                                                                                                                                                                                                                                                                                                                     | 'urban wastewater' means domestic wastewater or domestic wastewater mixed with either non-domestic wastewater <b>and or</b> urban runoff or both <del>of them;</del>                                                                                                                                                                                         | The para is not logically correct. Change "either – and" to "either – or".                                                                                                                                                                                                                                             |
| (3) 'non-domestic wastewater' means <del>any</del> wastewater, <b>other than domestic wastewater and urban runoff</b> , which is discharged <del>into collecting systems</del> from premises used for either of the following:<br><ul style="list-style-type: none"> <li>(a) the exercise of a trade;</li> <li>(b) activities carried out by an institution;</li> <li>(c) <b>or</b> industrial <b>or economical</b> activities;</li> </ul> <u><b>The wastewaters from the above activities, that are only domestic wastewater (from toilets or kitchens with food preparation) are entitled as domestic wastewaters.</b></u> |                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                        |
| (4) 'agglomeration' means an area where the <b>population (expressed in population equivalent), combined or not with and/or economic activities</b> <del>pollution load of urban wastewater is sufficiently concentrated (taking as a reference 10 p.e. per hectare or above)</del> for urban wastewater to be collected and conducted to <b>one or more</b> <del>an</del> urban wastewater treatment plants or to <del>a one or more</del> final discharge points, <u><b>into receiving waters;</b></u>                                                                                                                     | 'agglomeration' means an area <b>generating av load of more than 200 p.e.</b> where the population (expressed in population equivalent), combined or not with economic activities is sufficiently concentrated for urban wastewater to be collected and conducted to one or more urban wastewater treatment plants or to one or more final discharge points; | SE support the suggested changes in 2.4.<br><br>However, the definition still needs futher clarification related <u>either</u> to the delimitation of the area within which to calculate the density, <u>or</u> to the smallest size that still may constitute an agglomeration. We suggest 200 p.e. as a lower limit. |
| (8) 'combined sewer' means a <u><b>single</b></u> conduit that <b>designed to collect and conducts</b> urban wastewater <u><b>including urban runoff;</b></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                       | SE proposal                                                                                                                                                                                                                                                                | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>(9) 'separate sewer' means a <b>system of</b> conduits that separately collects and conducts <b>either urban runoff or</b> <del>either of the following:</del></p> <p>(a) <del>domestic</del> <b>urban wastewater not including urban runoff;</b></p> <p>(b) <del>non-domestic wastewater;</del></p> <p>(c) <del>a mixture of domestic and non-domestic wastewater;</del></p> <p>(d) <del>rainwater from agglomerations;</del></p> | <p>'separate sewer' means a <del>system of</del> conduit that separately collects and conducts either urban runoff or urban wastewater not including urban runoff;</p>                                                                                                     | <p>SE do not support including "system of" since the definition is for a sewer and not a "collecting system".</p> <p>SE support to keep this definition as simple as possible.</p>                                                                                                                                                                                                                                                                                                                        |
| <p>(10) '1 population equivalent' or '(1 p.e.)' means <del>the unit expressing the average potential water pollution load caused by one person per day, where 1 p.e. is the organic biodegradable load</del> <b>per day</b> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <del>per day</del> <b>per day</b>;</p>                                                                                               | <p>'1 population equivalent' or '(1 p.e.)' means the <b>daily</b> organic biodegradable load <del>per day</del> having a five-day biochemical oxygen demand (BOD5) of 60 g of oxygen <b>or a seven-day biochemical oxygen demand (BOD7) of 70 g of oxygen-per day</b>.</p> | <p>SE would like to keep "per day" directly after "organic load" since it refers to the daily organic load and not the daily oxygen consumption during analysis.</p> <p>An alternative way of reaching the same outcome could be to include the word "daily" before "organic biodegradable load". SE further suggest to also include the corresponding definition using BOD7, since that is the standard method of analysis in SE.</p> <p>Another option is to change "daily" to "24-hour-sample of".</p> |
| <p>(10 bis) [NEW] 'primary treatment' means treatment of urban wastewater by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming wastewater is reduced by at least 20% before discharge and the total suspended solids of the incoming wastewater are reduced by at least 50%.</p>                                                                      | <p>Delete</p>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



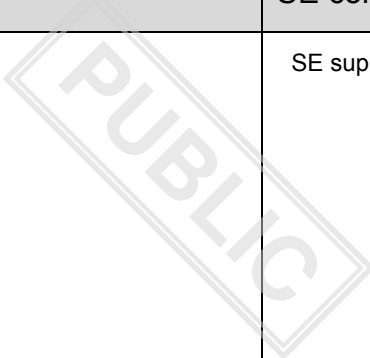
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                        | SE proposal | SE comments |
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| (11) 'secondary treatment' means treatment of urban wastewater by a process generally involving biological treatment with a secondary settlement or <del>another</del> process <b>which <u>reduces</u> <del>removes most of</del> biodegradable organic matter <u>in from</u> urban wastewater;</b>                                                                    |             |             |
| (12) 'tertiary treatment' means treatment of urban wastewater by a process which <b><u>reduces</u> <del>removes most of</del> nitrogen and/or phosphorus from the urban wastewaters;</b>                                                                                                                                                                               |             |             |
| (13) 'quaternary treatment' means treatment of urban wastewater by a process which <del>removes</del> <b><u>reduces</u></b> a broad spectrum of micropollutants <del>in from</del> <b><u>in from</u></b> the urban wastewaters;                                                                                                                                        |             |             |
| (14) 'sludge' means <del>any solid, semisolid, or liquid waste</del> <b>organic and inorganic <u>sludge residue</u></b> resulting from the treatment of urban wastewater <b>in an urban wastewater treatment plant (excluding <u>debris</u>, grit, grease, <u>other debris</u> and <u>any other screenings</u> residues from the <u>first pre-treatment</u> step);</b> |             |             |
| (25) 'load' means the amount of <b><u>organic biodegradable matter measured as BOD5</u></b> in urban wastewater, expressed in p.e., or any pollutant or nutrient <del>in urban wastewater, expressed in p.e. or mass unit per time (usually kilogram per day or year).</del>                                                                                           |             |             |

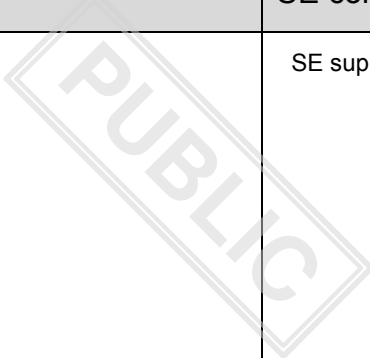
## ARTICLE 3 – COLLECTING SYSTEMS AND CALCULATION OF THE LOAD EXPRESSED IN P.E

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SE proposal | SE comments |
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| (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| <p>1. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that all agglomerations of 2 000 p.e. and above comply with the following requirements:</p> <ul style="list-style-type: none"> <li>(a) they are provided with collecting systems;</li> <li>(b) all their sources of domestic urban wastewater are connected to the collecting system.</li> </ul>                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |
| <p>2. <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> By 31 December 2030 <del>2033</del> Member States shall ensure that agglomerations of between 1000 and 2000 p.e. comply with the requirements of paragraph 1 by 31 December 2033.</p> <ul style="list-style-type: none"> <li><del>(a) they are provided with collecting systems;</del></li> <li><del>(b) all their sources of domestic urban wastewater are connected to a the collecting system.</del></li> </ul> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SE proposal                                                                                                                                                                                                                                                                                                                                                                                                            | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p><b>3. The calculation of the load of an agglomeration expressed in p.e. shall be <del>based</del> <u>calculated</u> on the <u>basis of the maximum average weekly load entering the treatment plant generated in that agglomeration</u> during the year, excluding unusual situations such as those due to heavy rain. <del>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant</del>, shall also be based on the maximum average weekly load;</b></p> | <p>3. The calculation of the load of an agglomeration expressed in p.e. shall be based on the maximum average weekly load generated in that agglomeration during the year, excluding unusual situations such as those due to heavy rain. <b>The calculation of the load expressed in p.e. subject to treatment in an urban wastewater treatment plant, shall also be based on the maximum average weekly load;</b></p> | <p>SE oppose the suggested changes and prefer the July-version.</p> <p>SE strongly support changing the concept of “maximum average weakly load” to any better, mathematically sound expression e.g. “maximum daily load”, “maximum weekly load”, “average yearly load” or something else.</p> <p>There is a difference between the first sentence relating to the load of an agglomeration and the last sentence relating to the treated (entering) load. SE is of the opinion that the same statistichal concept shall apply for both.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>4 <del>3</del>. Collecting systems shall fulfil the requirements of Part A of Annex I.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                            | <p>°</p>                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## ARTICLE 4 – INDIVIDUAL SYSTEMS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SE proposal                                                                         | SE comments |
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| <p>1. <del>By way of derogation</del> <b>Member States may derogate</b> from Article 3, <del>where exceptionally</del> <b>if the establishment of or the connection to</b> a collecting system is not justified either because it would produce no environmental <b>or health</b> benefit, <b>it is not technically feasible</b> or because it would involve excessive cost.</p> <p><b>If derogating from Article 3</b>, Member States shall ensure that individual systems for the <b>collection, storage and, when applicable</b>, treatment of <del>domestic</del> urban wastewaters ('individual systems') are used <del>for</del> <b>in agglomerations of 1 000 p.e. and above</b>.</p> |  | SE support. |
| <p>2. Member States shall ensure that individual systems are designed, operated and maintained in a manner that <del>ensures at least</del> <b>achieves</b> the same level of <b>environmental protection</b> <del>treatment</del> as the secondary and tertiary treatments referred to in Articles 6 and 7. <del>Tertiary treatment for individual systems will only be required in those cases that individual systems are discharging in a sensitive area or a catchment area.</del></p> <p><del>This requirement will apply to existing individual systems six years after 2033.</del></p>                                                                                               |                                                                                     | SE support  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SE proposal                                                                         | SE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------|
| <p><b>3.. [NEW]</b> Member States shall ensure that <b>individual systems <u>that are used</u></b> in agglomerations of <b>1 000 p.e. and above</b>, <del>where individual systems are used</del> are registered in a <del>public</del> <b><u>national, or regional or local</u></b> registry and that regular inspections <b>or other means of regular checks or control</b> of those systems, <b>on the basis of a risk-based approach</b>, are carried out by the appropriate authority <b>or other body authorised at national, or regional or local level</b>.</p>                                                                                                                                                                                         |  | SE support  |
| <p><b>34.</b> The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive that shall be adopted in accordance with the examination procedure referred to in Article 28(2) for</del> by establishing minimum requirements <del>on</del> <b>for</b>:</p> <p>(a) the design, operation, and maintenance of individual system; and</p> <p>(b) <del>by specifying the requirements for the regular inspections referred to in paragraph 2 3, on the basis of a risk-based approach second subparagraph.</del></p> <p><b>The Commission will provide the requirements by <u>[24 months]</u> from the entry into force of this Directive].</b></p> |                                                                                     | SE support  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SE proposal | SE comments |
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| <p>45. Member States that use individual systems to treat more than 2% of the urban wastewater load <b>at national level</b> from agglomerations of 2 000 p.e. and above shall provide the Commission with a <del>detailed</del> justification for the use of individual systems in each of the agglomerations. That justification shall:</p> <p>(a) demonstrate <del>for each of those agglomerations</del> that the conditions for using individual systems set out in paragraph 1 are fulfilled;</p> <p>(b) describe the measures taken in accordance with paragraph 2 <b>and 3</b>;</p> <p>(c) demonstrate compliance with the minimum requirements referred to in paragraph <b>34</b> where the Commission has exercised its <del>delegated</del> <b>implementing</b> power under that paragraph.</p> |             | SE support  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <p>56. The Commission is empowered to adopt implementing acts establishing the format for submitting the information referred to in paragraph 45. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the format by [24 months from the entry into force of this Directive].</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                        |             | SE support  |

## ARTICLE 5 - INTEGRATED URBAN WASTEWATER **AND POLLUTED** URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                 | SE proposal | SE comments                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                              |             |                                                                                                                                              |
| (3) 'non-domestic wastewater'; (5) 'urban runoff'; (6) 'sewer overflow'; (8) 'combined sewer'                                                                                                                                   |             |                                                                                                                                              |
|                                                                                                                                                                                                                                 |             |                                                                                                                                              |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                    |             |                                                                                                                                              |
| (7); (8)                                                                                                                                                                                                                        |             | The recitals use the term "storm water overflows". SE assume that the recitals are revised when the negotiations are closer to an agreement. |
|                                                                                                                                                                                                                                 |             |                                                                                                                                              |
| 1. By 31 December <del>2030</del> <b>2035</b> , Member States shall ensure that an integrated urban wastewater management plan is established for <b><u>each drainage area of</u></b> agglomerations of 100 000 p.e. and above. |             |                                                                                                                                              |
|                                                                                                                                                                                                                                 |             |                                                                                                                                              |

2. By 31 December ~~2027~~**2030** Member States shall establish a list of agglomerations of between 10 000 p.e. and 100 000 p.e. where, considering historic data, **modelling** and state-of-the-art climate projections, one or more of the following conditions apply:

(a) ~~sewer storm-water overflow~~ or **polluted discharges** of urban runoff ~~discharges~~ poses a risk to the environment or human health;

(b) ~~sewer storm-water overflow~~ represents more than ~~4%~~**3%** of the annual collected urban wastewater load **of the parameters referred to in Tables 1 and, where relevant, Table 2 of Annex I**, calculated in dry weather **flow conditions**;

(c) ~~sewer storm-water overflow~~ or **polluted discharges of** urban runoff ~~discharges~~ prevents the fulfilment of any of the following:

(i) the requirements established under Article 5 of Directive (EU) 2020/2184;

(ii) the requirements set out in Article 5(3) of Directive 2006/7/EC of the European Parliament and of the Council<sup>1</sup>;

(iii) the requirements set out in Article 3 of Directive 2008/105/EC of the European Parliament and of the Council<sup>2</sup>;

(iv) the environmental objectives set out in Article 4 of Directive 2000/60/EC.

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SE proposal | SE comments |
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| <p>(v) the requirements established under Article 3 of Directive 2006/118/EC<sup>3</sup></p> <p>Member States shall review the list referred to in the first subparagraph every <del>five</del> <b>six</b> years after its establishment and update it where necessary.</p> <p><b><u>Following an update of the list, Member States shall ensure that integrated management plans are established for agglomerations within six years of their inclusion in that list.</u></b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>3. By 31 December <del>2035</del> <b>2040</b>, Member States shall ensure that an integrated urban wastewater management plan is established for <b><u>each drainage area of</u></b> agglomerations referred to in paragraph 2</p>                                                                                                                                                                                                                                              |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>4. Integrated urban wastewater management plans shall be made available to the Commission on request.</p>                                                                                                                                                                                                                                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>5. Integrated urban wastewater management plans shall include at least the elements set out in Annex V.</p>                                                                                                                                                                                                                                                                                                                                                                     |             |             |

<sup>1</sup> Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

<sup>2</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84)

<sup>3</sup> Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SE proposal | SE comments |
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| <p>6. The Commission is empowered to adopt implementing acts to:</p> <p>(a) provide methodologies for the identification of the measures referred to in point 3 of Annex V;</p> <p>(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;</p> <p>(c) determine the format by which integrated urban wastewater management plans are to be made available to the Commission where requested in accordance with paragraph 4.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). <b>The Commission will provide the methodologies and formats by [24 months] from the entry into force of this Directive].</b></p> |             |             |
| 7. Member States shall ensure that integrated urban wastewater management plans are reviewed <b>at least</b> every <b>six</b> 5 years after their establishment and updated where necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |

## ARTICLE 6 – SECONDARY TREATMENT

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |

| New text proposal_Clusters1,3,5                                              | SE proposal | SE comments |
|------------------------------------------------------------------------------|-------------|-------------|
| (11) 'secondary treatment'                                                   |             |             |
|                                                                              |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i> |             |             |
| (12)                                                                         |             |             |
|                                                                              |             |             |

1. For agglomerations of 2 000 p.e. and above, Member States shall ensure that **urban wastewater treatment plants serving agglomerations of 2 000 p.e. and above** ~~urban wastewater entering collecting systems is subject to meet the relevant requirements for secondary treatment or an equivalent treatment of urban wastewater, set out in accordance with Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I paragraph 3 or an equivalent treatment before discharge into receiving waters.~~

~~For agglomerations of between 2 000 p.e. and 1 000 p.e. which are discharging into coastal areas, (The obligation set out in the first paragraph shall not apply until 31 December 2027 for:~~

~~(a) For~~ For agglomerations of between 2 000 p.e. and 10 000 p.e. which are discharging into coastal areas waters as defined under Directive 2000/60/EC and which apply appropriate treatment in accordance with Article 7 of Council Directive 91/271/EEC ~~on [please insert the date = date if entry into force of this directive]~~, the obligations set out in the first paragraph shall not apply until 31 December 2030.

~~(b)~~ For agglomerations discharging into less sensitive areas as referred to in Article 6(1) of Council Directive 91/271/EEC the obligations set out in the first paragraph shall apply in seven years after the ~~on [please insert the date = date if entry into force of this~~

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SE proposal | SE comments |
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| <del>Directive]. and fifteen years in the case of Madeira after the entry into force of this Directive.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
| <p>2. For agglomerations of between 1 000 p.e. and 2 000 p.e., <del>Unless they justify a derogation under paragraph 1 of Article 4,</del> Member States shall ensure that urban wastewater treatment plants serving agglomerations of between 1 000 p.e. and 2 000 p.e., by 31 December 2033 urban waste water entering collecting systems is subject to meet the relevant requirements for secondary treatment <del>or an equivalent treatment</del> set out in Part B and Table 1 of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I <del>accordance with paragraph 3 or an equivalent treatment before discharge into receiving waters by 31 December 2030.</del></p> <p>Member states may derogate from this deadline for maximum six years, if the conditions in Article 23(5) are met.</p> |             |             |
| <p>4.2. <del>Urban waste water discharges to waters situated in high mountain regions (over 1 500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies indicate that such discharges do not adversely affect the environment.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                            | SE proposal | SE comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 3. 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 1 of Part B of Annex I. The maximum permitted number of samples which fail to conform to the parametric values of table 1 of Part B of Annex I is set out in table 4 of Part D of Annex I. |             |             |
|                                                                                                                                                                                                                                                                                                                                            |             |             |
| 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.                                                                                                                           |             |             |

# ARTICLE 11 – ENERGY AND CLIMATE NEUTRALITY OF URBAN WASTEWATER TREATMENT PLANTS AND COLLECTING SYSTEMS

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (16)                                                                               |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SE proposal | SE comments |
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| <p>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 <b>measures to reduce the use of energy and or enhance the</b> production of renewable energy, with a particular focus to identify and utilise the potential for biogas production, while reducing <b>greenhouse gas methane</b> emissions. The first audits shall be carried out:</p> <p>(a) by 31 December <del>2025</del> <b>2030</b> for urban wastewater treatment plants treating a load of 100 000 p.e. and above and the collecting systems connected to them;</p> <p>(b) by 31 December <del>2030</del> <b>2035</b> 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.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SE proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>2. Member States shall ensure that, <u>at national level, urban wastewater treatment plants treating a load of 10 000 p.e. and above produce energy from renewable sources</u> the total annual energy from renewable sources, as defined in Article 2(1) of Directive (EU) 2018/2001, <del>produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above, is equivalent to at least: based on the results of the audits referred to in paragraph 1.</del></p> <p><u>This energy will be produced from urban wastewater resources, on or off-site. A maximum of 25% of energy may be produced or purchased from external renewable sources.</u></p> <p><u>Member States shall ensure that total annual energy from renewable sources produced by urban wastewater treatments plants or purchased under paragraphs 1 and 2 is equivalent to at least:</u></p> <p>(a) <del>50</del> <b>20</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100% of the total annual energy used by such plants by 31 December 2040.</p> <p><u>In the calculation of the total annual energy produced from renewable sources as referred to in the first subparagraph, Member States may take into account a maximum of 10 % of renewable energy neither produced by urban wastewater treatment operators nor produced within a 5 kilometer radius from an urban wastewater treatment plants.</u></p> <p><u>Member States shall ensure that the potential for energy produced from urban wastewater resources, as demonstrated by the energy audit as referred in paragraph 1, is used to its full extent, representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</u></p> | <p>2. Member States shall ensure <b>that the total energy used within the Member State for the treatment of urban wastewater in urban wastewater treatment plants treating a load of 10 000 p.e. and above derived that the total annual energy</b> from renewable sources, as defined in Article 2(1) <b>and Article 2(2)</b> of Directive (EU) 2018/2001, <del>produced at national level, on or off-site, by urban wastewater treatment plants treating a load of 10 000 p.e. and above,</del> is equivalent to at least:</p> <p>(a) <del>50</del> <b>20-40</b> % of the total annual energy used by such plants by 31 December 2030;</p> <p>(b) <del>75</del> <b>60</b> % of the total annual energy used by such plants by 31 December 2035;</p> <p>(c) 100% of the total annual energy used by such plants by 31 December 2040.</p> <p>Member States shall ensure that the potential for <b>cost-effective measures to reduce the use of energy and the potential to produce energy produced</b> from urban wastewater resources, as demonstrated by the energy audit as referred to in paragraph 1, is used to its full extent <b>representing at least 80% of the energy used by urban wastewater treatment plants referred to in points (a), (b) and (c) of the first subparagraph.</b></p> | <p>SE welcomes the suggested changes, that are moving in the right direction, but cannot support requirements of self-sufficiency of treatment plants to produce non fossil energy. Most important is that the energy used derives from non-fossil sources - not by whom or where the energy is produced. Se suggestion. If our suggestion is acceptable, perhaps further discussions on whether to include even smaller treatment plants than 10 000 p.e. can be held.</p> <p>SE notes that the first deadline in Article 11(2) needs to be adjusted in relation to the deadlines in 11(1) as the audits under 11(1) needs to precede the measures in 11(2).</p> <p>SE suggest adding a reference to Article 2(2) of Directive (EU) 2018/2001 to include the recovery of thermal energy using heat pumps.</p> <p>SE support to delete the deleted subparagraphs.</p> <p>SE suggest that the COM is granted implementing powers on what to include and how to make these calculations. Such a delegation would need to be added to Article 11.</p> |



## ARTICLE 14 – DISCHARGES OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | SE proposal | SE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
| <p>1. Member States shall ensure that the discharges of non-domestic wastewater into collecting systems and urban wastewater treatment plants are subject to prior <del>general binding rules</del> <b>regulations and/or</b> specific authorisations by the competent authority <b>or appropriate body</b>.</p> <p><del>Those general binding rules</del> <b>prior regulations and/or specific authorisations shall ensure that the water quality requirements set out in other Union legislation are fulfilled, and, when applicable, that quality and quantity of relevant discharges of non-domestic wastewater is monitored.</b></p> <p><del>Where general binding rules</del> <b>regulations and/or specific authorisations are provided for discharges into collecting systems and wastewater treatment plants</b>, Member States shall ensure that the competent authority <b>or appropriate body</b>:</p> <p>(a) consults <b>and informs</b> the operators of collecting systems and urban wastewater treatment plants into which the non-domestic wastewater is discharged, before granting specific authorisations;</p> <p>(b) <b>on request</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 <del>on request</del>.</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | SE proposal | SE comments |
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| <p><u>(c) Where prior regulations are provided for discharges into collecting systems and wastewater treatment plants, Member States shall ensure that the operators of collecting systems and urban wastewater into which the non-domestic wastewater is discharged, are consulted before the prior regulations are adopted.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| <p>2. Member States shall <b>ensure that competent authorities or appropriate bodies</b> take the appropriate measures, including a review of the <del>general binding rules regulations</del> <b>and/or</b> specific authorisations, to identify, prevent and reduce as far as possible the sources of pollution in non-domestic wastewater referred to in paragraph 1 <b>of this Article</b> where any of the following situations arise:</p> <p>(a) pollutants have been identified at the inlets and outlets of the urban wastewater treatment plant under the monitoring of Article 21(3);</p> <p>(b) sludge arising from urban wastewater treatment is to be used in accordance with Council Directive 86/278/EEC<sup>4</sup>;</p> <p>(c) treated urban wastewater is to be reused in accordance with Regulation (EU) 2020/741;</p> <p>(d) the receiving waters are used for abstraction of water intended for human consumption as defined in Article 2, point (1), of Directive (EU) 2020/2184;</p> <p>(e) the pollution of the non-domestic wastewater discharged into the collecting system, or the urban wastewater treatment plant poses a risk to the operation of that system or plant.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |

<sup>4</sup> Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SE proposal | SE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>3. The <del>general binding rules</del> <b>regulations</b> and specific authorisations referred to in paragraph 1 <b>of this Article</b> shall fulfil the requirements set out in Part C of Annex I. The Commission is empowered to adopt delegated acts in accordance with the procedure referred to in Article 27 to amend Part C of Annex I in order to adapt it to technical and scientific progress in the field of environmental protection.</p>                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <p>4. The specific authorisations referred to in paragraph 1 shall be reviewed and, where necessary, adapted at least every <del>6</del> <b>ten</b> years.</p> <p><b>The <del>general binding rules</del> regulations referred to in paragraph 1 shall be reviewed at regular intervals and, where necessary, adapted.</b></p> <p><b>If the characteristics of the non-domestic wastewater, the urban wastewater treatment plant or the receiving water body change significantly, the provisions of the specific authorisations shall be reviewed and adapted to these changes</b> <del>updated in the cases where the characteristics of the non domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled.</del></p> |             |             |

## ARTICLE 16 – BIODEGRADABLE NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | SE proposal | SE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(3) 'non-domestic wastewater'</p>                                                      |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SE proposal | SE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |
| (21)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
| 1. Member States shall establish requirements for the discharge of biodegradable non-domestic wastewater that are appropriate to the nature of the industry concerned and that ensure at least the same level of environmental protection as the requirements set out in <del>part</del> <b>Part</b> B of Annex I.                                                                                                                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |             |
| 2. The requirements referred to in paragraph 1 <b>of this Article</b> shall apply when the following conditions are fulfilled:<br><br>(a) the wastewater originates from plants treating a load of 4 000 p.e. and above that belong to the industrial sectors listed in Annex IV and that do not carry out any of the activities listed in Annex I to Directive 2010/75/EU of the European Parliament and of the Council <sup>5</sup> ;<br><br>(b) the wastewater does not enter an urban wastewater treatment plant before it is discharged to receiving waters ('direct discharge'). |             |             |

5 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334 17.12.2010, p. 17).

## ARTICLE 17 – URBAN WASTEWATER SURVEILLANCE

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
| (21) 'antimicrobial resistance'                                                    |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (22)                                                                               |             |             |
|                                                                                    |             |             |

~~1. Member States shall monitor the presence of the following public health parameters in urban wastewater:~~

~~(a) SARS-CoV-2 virus and its variants;~~

~~(b) poliovirus;~~

~~(c) influenza virus;~~

~~(d) emerging pathogens;~~

~~(e) contaminants of emerging concern;~~

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

21. 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:

(a) the identification of ~~other~~ **relevant** public health parameters ~~than the ones referred to in paragraph 1 that are to be monitored~~ **at least in the inlet of** urban wastewater **treatment plants**, such as those in the following list:

**(i) SARS-CoV-2 virus and its variants of interest;**

**(ii) poliovirus;**

**(iii) influenza virus;**

**(iv) emerging pathogens;**

~~**(v) contaminants of emerging concern;**~~

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

(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(a), ~~taking into account~~ **thus regarding** the available health data and the needs in terms of public health data and, where relevant, the local epidemiological situations;

(c) the organisation of an appropriate and timely communication of the monitoring results to the competent authorities responsible for public health and to Union

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SE proposal | SE comments |
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| platforms, where such platforms are available, <b><u>and in accordance with data protection law.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |             |
| <p><del>32. 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</del> <b>relevant public health parameters</b> shall be monitored in urban wastewaters from <b>a representative distribution</b> at least 70 % of the national population. <del>Where this pathogen is SARS-CoV-2 or one of its variants, this monitoring shall cover at least 50 % of the national population.</del> and at least one sample shall be taken per week for agglomerations of 100 000 p.e. and more. This monitoring shall continue until <del>this</del> the competent authority declares that the public health emergency due to SARS-CoV-2 has ended <b><u>or during a longer period if deemed useful for other purposes, according to the same competent authority.</u></b></p> <p>To determine whether there is a public health emergency, the competent authority shall <del>take into account</del> <b>consider Commission decisions adopted pursuant to Article 23(1) of Regulation (EU) 2022/2371 of the European Parliament and of the Council<sup>6</sup>, assessments of the European Centre for Disease Prevention and Control, and decisions of the World Health Organisation (WHO) taken in accordance with the International Health Regulations and Commission decisions adopted pursuant to Article 23(1) of Regulation .../... of the European Parliament and of the Council<sup>7</sup>.</b></p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |

<sup>6</sup> Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU. (OJ L 314, 6.12.2022, p. 26–63).

<sup>7</sup> + OP: Please insert in the text the number of the Regulation contained in document PE-CONS 40/22 (2020/0322(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SE proposal | SE comments                       |
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| <p>43. For agglomerations of 100 000 p.e. and above, Member States shall, by 1 January 2025 <del>2026</del> <b>[OP please insert the date = the last day of the second year from the date of adoption of the implementing act in the following subparagraph]</b>, ensure that antimicrobial resistance is monitored <del>at least twice a year in at the inlets and outlets of urban wastewater treatment plants and, when relevant, in the collecting systems.</del></p> <p><b><u>By [OP please insert the date = the last day of the second year from the date of entry into force of this Directive], the Commission shall may</u></b> adopt implementing acts in accordance with the procedure referred to in Article 28 to ensure <del>an</del> a uniform application of this Directive by establishing a <b><u>minimum frequency of sampling and</u></b> harmonised methodology for measuring antimicrobial resistance in urban wastewaters.</p> |             | SE support the suggested changes. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |                                   |
| <p>54. Results from monitoring referred to in this Article shall be reported in accordance with Article 22(1), point (g).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |                                   |

## ARTICLE 20 – SLUDGE **AND RESOURCE RECOVERY**

| New text proposal_Clusters1,3,5                                                           | SE proposal | SE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
| <p>(14) 'sludge'</p>                                                                      |             |             |
|                                                                                           |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |             |             |

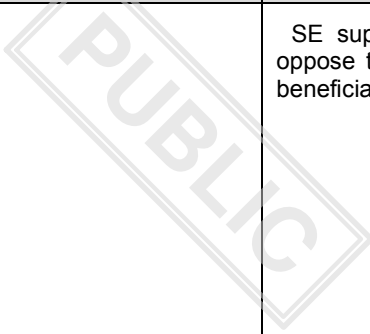


| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | SE proposal | SE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| (28)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| 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, <b>preparing for</b> re-use, <del>and</del> recycling <b>and other material recovery</b> of resources and minimize the adverse effects on the environment.                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| 2. The Commission is empowered to adopt <del>delegated</del> <b>implementing</b> acts <del>in accordance with the procedure referred to in Article 27 to supplement this Directive by setting out</del> <b>promoting set out</b> the minimum reuse and recycling rates for phosphorus <del>and nitrogen</del> from <del>wastewater and</del> sludge <b>and from urban wastewater not reused under the derogation of Article 15(1), taking, in order to take</b> into account available technologies, <b>resources, and economic viability</b> for phosphorus <del>and nitrogen</del> recovery in <del>wastewater and</del> sludge. <b>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).</b> |             |             |

## ARTICLE 21 – MONITORING

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SE proposal | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| (29)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             | SE support the added clarifications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>1. Member States shall ensure that competent authorities, <b>appropriate bodies or the operator of the wastewater treatment plant</b> monitor:</p> <p>(a) discharges from urban wastewater treatment plants <del>in order to verify compliance with the requirements of part B of Annex I in accordance with the methods for monitoring and evaluation of results laid down in Part D of Annex I</del> <b>and; this monitoring shall include including loads and concentrations of the parameters listed in Part B Tables 1, and 2 and 3 of Annex I;</b></p> <p>(b) amounts, composition and destination of sludge, <b><u>taking into account requirements of Directive 86/278/EEC for sludge intended to be used in agriculture;</u></b></p> <p>(c) <del>the destination of the treated urban wastewater including the share of reused water</del> <b>quantities per year and per month of urban wastewater reused in agriculture that is subject to a derogation referred to in Article 15(1); the nutrient content of the fraction reused for agricultural irrigation and the period during which that fraction is reused compared to the monthly water and nutrient demand of the crops targeted by this reused urban wastewater;</b></p> <p>(d) <b>the greenhouse gases CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub> emitted from urban wastewater treatment plants of <u>above 10 000 p.e. and above by means of analysis, calculations or modelling where appropriate;</u></b></p> <p>(e) <del>the greenhouse gases methane produced and the energy used and produced by urban wastewater treatment plants of above 10 000 p.e</del> <b>and above.</b></p> |             | <p>SE supports most of the suggested changes in paragraph 21(1).</p> <p>However, we oppose the addition of table 3 in the last sentence of paragraph 21.1(a). The substances in table 3 are chosen to verify compliance to the treatment requirements in article 8 and may not necessarily be suitable or even interesting for the purpose of assessing environmental impact and monitoring loads and concentrations. The reference in Art 9.1.a may rather be to the first part of Art. 21.1 (a) "to verify compliance".</p> <p>SE believes that it should also be possible in the long term to replace the relatively expensive and slow lab analyses required by the proposed wording of art. 21.1 with proxy parameters and calculations that can provide equivalent information on the treatment performance. Emission data needed to determine the environmental impact of these types of substances could instead be obtained through the monitoring provided for according to Article 21(3).</p> <p>SE suggest that the energy monitoring in paragraph 21.1 (e) should have sufficiently flexible system boundaries for treatment plants to benefit from energy and greenhouse gas savings through the possible future production of e.g. bioplastics and electro-fuels that can replace equivalent products of fossil origin. Use of fossil chemical energy, such as methanol, should correspondingly be regarded as a negative item in the calculation. In order to avoid sub-optimisations by adopting inappropriate system boundaries, further guidance on how to carry out the energy monitoring and accounting is essential. SE suggest that COM is authorised to produce implementing acts on this.</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | SE proposal                                                                         | SE comments                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. For all agglomerations of 10 000 p.e. and above, Member States shall ensure that competent authorities, <b>appropriate bodies or operators of the collecting system</b> <del>monitor</del> <b>carry out sufficient representative monitoring of sewer</b> <del>the concentration and loads of pollutants from storm water overflows and</del> <b><u>polluted discharges of</u></b> urban runoff discharged into water bodies in order to be able to model the concentration and loads of the parameters listed in Table 1 and 2 of Annex I as well as the content of microplastics and relevant micropollutants in these discharges.</p> |  | <p>SE support to add “discharges of” (urban runoff) but oppose to add “pollution” in paragraph 2, since it is not beneficial for the representativity of the monitoring.</p> |

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| <p>3. For all agglomerations of <del>above</del> 10 000 p.e. <b>and above</b>, Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>(a) pollutants <b><u>that are expected to be found in urban wastewaters</u></b> listed in:</p> <p>(i) Annexes VIII and X to Directive 2000/60/EC, the Annex to Directive 2008/105/EC, Annex I to Directive 2006/118/EC and Part B of Annex II to Directive 2006/118/EC;</p> <p>(ii) the Annex to Decision 2455/2001/EC of the European Parliament and of the Council<sup>8</sup>;</p> <p>(iii) Annex II to Regulation (EC) No 166/2006 of the European Parliament and of the Council<sup>9</sup>;</p> <p>(iv) Annexes I and II to Directive 86/278/EEC.</p> <p>(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;</p> <p>(c) the presence of microplastics.</p> <p><b><u>[NEW] Pollutants listed under points (a) and (b) may be excluded from the monitoring under this paragraph as long as it can be demonstrated, inter alia on the basis of monitoring results, that they are absent in urban wastewaters.</u></b></p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in the sludge <b><u>when relevant and, notably, when it is reused in agriculture</u></b>.</p> <p>4. The monitoring referred to in <del>the first and second sub</del> <b>this</b> paragraphs <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum <b>7</b> 6 months between the samples, for agglomerations of <b><u>100 000 150 000</u></b> p.e. and <del>more</del> <b>above</b>;</p> | <p>3. For all agglomerations of above 10 000 p.e., Member States shall ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant monitor, at the inlets and outlets of urban wastewater treatment plants, the concentration and loads in the urban wastewater of the following elements:</p> <p>[...]</p> <p><del>(c) the presence of microplastics....</del></p> <p>[...]</p> <p>For all agglomerations of above 10 000 p.e., Member States shall <b>ensure that competent authorities, appropriate bodies or the operator of the wastewater treatment plant</b> monitor the presence of micro-plastics in urban wastewater and <del>the</del> sludge when relevant and, notably, when it is reused in agriculture.</p> <p>[...]</p> <p>4. The monitoring referred to in paragraph <b>3</b> shall be carried out with the following frequencies:</p> <p>(a) at least two samples per year, with maximum 7 months between the samples, for <b>agglomerations treatment plants of 100 000 150 000</b> p.e. and above;</p> <p>(b) at least one sample every <del>2</del> <b>two</b> years for <b>agglomerations treatment plants</b> of between 10 000 p.e. and 100 000 p.e.</p> <p>[...]</p> | <p>SE support the changes. We generally believe that monitoring requirements should only be introduced if they are necessary and useful for the information needed to solve the problem at hand. SE note that methods to analyse microplastics in sludge and urban wastewater still are under development and expensive. Hence, it is necessary to be cautious before adding any general requirement of such monitoring and instead use screening. To meet this end and to avoid differing interpretations (“concentrations and loads” or “presence?”), SE suggest moving the requirement in 21.3 (c) to the last section of paragraph 3.</p> <p>SE note that Annex D 3 regarding the minimum annual number of samples is related to the size of the treatment plant and not the agglomeration. It seems suitable to use the same model for the frequency of the monitoring in paragraph 21.4 (a) and (b).</p> |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | SE proposal | SE comments |
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| <p>(b) at least one sample every 2 <b>two</b> years for agglomerations of between 10 000 p.e. and 100 000 p.e.</p> <p><b>[NEW] <del>The This</del> monitoring frequency established in this paragraph may be halved in subsequent years if the monitoring results for the pollutants referred to in this paragraph 3 are below <u>standards applicable Environmental Quality Standards</u> under Directive 2008/105/EC <del>or below detection limits or below limits of quantification</del> during the first three successive years of the monitoring. The monitoring frequency should be reviewed at least every year.</b></p> <p>5. 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 <b>greenhouse gas emissions from urban wastewater treatment plants and microplastics in urban wastewater and sludge. The Commission will provide the methodologies by [24 months from the entry into force of this Directive].</b></p> |             |             |

## ARTICLE 23 – NATIONAL IMPLEMENTATION PROGRAMME

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |

- 8 Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (Text with EEA relevance) (OJ L 331, 15.12.2001, p. 1).
- 9 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).

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SE proposal | SE comments |
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| (31)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |
| <p>1. By [OP please insert date = the last day of the <del>twenty-third</del> <b>thirty fifth</b> month after the date of entry into force of this Directive], Member States shall establish a national implementation programme for this Directive.</p> <p>Those programmes shall include:</p> <p>(a) an assessment of the level of implementation of Articles 3 to 8;</p> <p>(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 related to the size of the agglomeration and the environmental impact of untreated urban wastewater;</p> <p>(c) an estimate of investments needed to renew existing urban wastewater infrastructures, including collecting systems, based on their age and depreciation rates;</p> <p>(d) the identification, or at least an indication, of potential sources of public financing, when needed to complement user charges.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>2. By [OP: please insert the date = the last day of the <del>thirty fifth</del> <b>fortieth</b> month after the date of entry into force of this Directive], Member States shall submit to the Commission their national implementation programmes, except where they demonstrate, based on the monitoring results referred to in Article 21, that they are in compliance with Articles 3 to 8.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |             |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                              | SE proposal | SE comments |
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| 3. Member States shall update their national implementation programmes at least every <del>5</del> <b>6</b> 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.              |             |             |
|                                                                                                                                                                                                                                                                              |             |             |
| 4. The Commission is empowered to adopt implementing acts establishing the methods and formats for submission of the national implementation programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2). |             |             |
|                                                                                                                                                                                                                                                                              |             |             |

5. Member States may include in their first national implementation programmes an extension of maximum six years of the following deadlines:

(a) the deadlines referred to in Article 3(2) and/or in Article 6(2) on the conditions that:

(i) less than 50 % of these agglomerations are provided with collecting systems and are not subject to secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations between 1 000 and 2 000 p.e. that lacks a collecting system and secondary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

(b) the deadline for agglomerations referred to in Article 7(3) on the conditions that:

(i) at least 50 % of these agglomerations are not applying tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

(ii) the national implementation programme includes:

- the number of agglomerations referred to in Article 7(3) lacking tertiary treatment on [OP please insert the date=day of entry into force of the Directive]; and

- a plan detailing the necessary investments to reach full compliance for these agglomerations within the extended deadlines;

The extensions of these deadlines shall be effective only if the above-mentioned conditions are fulfilled. The Commission shall notify the Member States if

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| New text proposal_Clusters1,3,5                                                                                                                    | SE proposal | SE comments |
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| these conditions are not fulfilled by [OP please insert the date=the last day of the sixth month after the deadline referred to in Article 23(2)]. |             |             |

## ARTICLE 25 – ACCESS TO JUSTICE

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (34)                                                                               |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SE proposal | SE comments |
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| <p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions or acts or omissions subject to Articles 6, 7 or 8 of this Directive when at least one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p> <p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p><b><u>Standing in the review procedure shall not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</u></b></p> <p>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.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
| <p>2. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |

## ARTICLE 26 – COMPENSATION

| New text proposal_Clusters1,3,5                                                           | SE proposal | SE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
|                                                                                           |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | SE proposal | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 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 <del>and, where appropriate, from the relevant competent authorities responsible for the violation.</del>                                                                                                             |             | It is of great importance that rights established on EU level are effective. However, the Member States have different legal traditions when it comes to how we should make those rights effective. SE is therefore generally opposed to the EU regulating procedural law issues and believes that those issues should primarily be left to the Member States themselves to regulate. Thus, SE is positive to the deletion of paragraph 26.2 and 26.4. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>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.</del> |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>3</del> 2. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by a violation pursuant to paragraph 1.                                                                                                                                                                                                              |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                | SE proposal                                                                                                                                                                                                                                                                                                                                                                                                                             | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>5 4. Member States shall ensure that</del> <b>may establish</b> the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows <b>or can reasonably be expected to know</b> that he or she suffered damage from a violation pursuant to paragraph 1. | <del>5 4. Member States shall ensure that</del> may establish the limitation periods for bringing actions for compensation referred to in paragraph 1 <del>are not shorter than 5 years.</del> <b>Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from a violation pursuant to paragraph 1.</b> | SE would like to see a softening of the provision so that the limitation rules do not regulate when the limitation period starts to run; we can accept that the wording of the article on compensation is in line with the wording of the article in the agreed general approach of the IED, Article 79a, (Council Decision of 16 March 2023, document No 7537/23) with the exception that SE would also like to see a deletion of the last sentence of paragraph 5 ("Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows that he or she suffered damage from a violation pursuant to paragraph 1"). |

## ARTICLE 28 – COMMITTEE

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
| (36)                                                                               |             |             |
|                                                                                    |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                  | SE proposal                                                                                                                                                                                                   | SE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and implementation of the directive on urban waste water treatment. | 1. The Commission shall be assisted by the committee for the adaptation to scientific and technical progress and implementation of the directive on urban <del>waste water</del> <b>wastewater</b> treatment. |             |
|                                                                                                                                                                                  |                                                                                                                                                                                                               |             |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.                                                                              |                                                                                                                                                                                                               |             |

## ARTICLE 29 – PENALTIES

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SE proposal | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| (37)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 1. <b><u>Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,</u></b> Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. <del>They shall include, as appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person having committed the</del> |             | <p>SE support the suggested change. SE agrees that the article on sanctions should take the form of the agreed general approach in the IED, Article 79, (Council Decision of 16 March 2023, document No 7537/23).</p> <p>SE supports the deletion of the reference to turnover in this para, since turnover-based penalties risk being too administratively burdensome for the authorities concerned and would open the door to appeals by the responsible party regarding the size of the penalty. Further, this is not compatible with the Swedish system for corporate fines.</p> |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SE proposal | SE comments                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>breach, taking into account specificities of Small and Medium Enterprises.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             | Generally, SE would like the penalty provision to be modelled on penalty provisions in environmental legislative acts where a general approach has recently been adopted, such as the proposal for the revised Industrial Emissions Directive (IED), the proposal for the Fluorinated Greenhouse Gases (F-Gas) Regulation and the proposal for the Waste Shipment Regulation. |
| 2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:<br><br>(a) the nature, gravity, and extent of the <del>violation</del> <b>infringement</b> ;<br><br><del>(b) the intentional or negligent character of the violation;</del><br><br><del>(c)(b)</del> the population or the environment affected by the <del>violation</del> <b>infringement</b> , bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment;<br><br><b>(c) the repetitive or singular character of the infringement.</b> |             | SE support the suggested change. SE agrees that the article on sanctions should take the form of the agreed general approach in the IED, Article 79, (Council Decision of 16 March 2023, document No 7537/23).                                                                                                                                                                |
| 3. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |                                                                                                                                                                                                                                                                                                                                                                               |

## ARTICLE 30 – EVALUATION

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | SE proposal | SE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
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| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |             |
| (38)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
| <p>1. By 31 December 2030 and by 31 December 2040, the Commission shall carry out an evaluation of this Directive based in particular on the following elements:</p> <p>(a) the experience gained through the implementation of this Directive;</p> <p>(b) the data sets referred to in Article 22(1);</p> <p>(c) relevant scientific, analytical and epidemiological data, including results from research projects funded by the Union;</p> <p>(d) WHO recommendations, where available;</p> <p>(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 micropollutants in wastewaters and their impacts on public health and the environment, and data resulting from the new monitoring obligations on micropollutants in the inlets and outlets of the urban wastewater treatment plants.</p> <p>The Commission shall present a report on the main findings of the evaluation referred to in the first subparagraph to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.</p> |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                 | SE proposal | SE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
|                                                                                                                                                                 |             |             |
| 2. Member States shall provide the Commission with the information necessary for the preparation of the report referred to in paragraph 1, second subparagraph. |             |             |

## ARTICLE 31 – REVIEW

| New text proposal_Clusters1,3,5                                                                                                                                                                                                        | SE proposal | SE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                        |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                           |             |             |
|                                                                                                                                                                                                                                        |             |             |
| 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. |             |             |

## ARTICLE 33 – TRANSPOSITION

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |



| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SE proposal | SE comments |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |
| (42); (43)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles [...] and Annexes [...] [refer to the articles and annexes which have been amended in substance by comparison with the repealed Directives] by [OP please insert the date = the last day of the twenty-third month after the date of entry into force of this Directive]. They shall immediately communicate the text of those measures to the Commission.</p> <p>When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.</p> |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>2. Member States shall communicate to the Commission the text of the main <del>provisions</del> <b>measures</b> of national law which they adopt in the field covered by this Directive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |

## ARTICLE 34 – ENTRY INTO FORCE

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                  | SE proposal | SE comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                               |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                     |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |             |
| <p>This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>Articles [...] and Annexes [...] [refer to the articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from [...] [OP please insert the date = the first day of the twenty-fourth month after the date of entry into force of this Directive].</p> |             |             |

## ARTICLE 35 – ADDRESSEES

| New text proposal_Clusters1,3,5                                                    | SE proposal | SE comments |
|------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i> |             |             |
|                                                                                    |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>       |             |             |
|                                                                                    |             |             |
| This Directive is addressed to the Member States.                                  |             |             |

| New text proposal_Clusters1,3,5                                                                                                          | SE proposal | SE comments |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <p>Done at Brussels,</p> <p>For the European Parliament      For the Council</p> <p>The President                      The President</p> |             |             |

## ANNEX I 4– REQUIREMENTS FOR URBAN WASTEWATER

### A.COLLECTING SYSTEMS

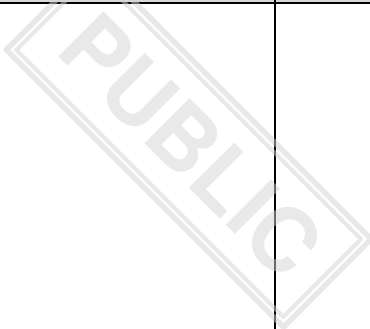
| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SE proposal | SE comments                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |                                   |
| <p>Collecting systems shall take into account wastewater treatment requirements.</p> <p>The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:</p> <ul style="list-style-type: none"> <li>- volume and characteristics of urban wastewater,</li> <li>- prevention of leaks <b>of wastewater,</b></li> <li>- <b>prevention of inflow and infiltration into the collecting systems,</b></li> <li>- limitation of pollution of receiving waters due to <del>storm water</del> <b>sewer</b> overflows <b>considering the</b></li> </ul> |             | SE support the suggested changes. |

| New text proposal_Clusters1,3,5                 | SE proposal | SE comments |
|-------------------------------------------------|-------------|-------------|
| relevant requirements in Article 5 and annex V. |             |             |

## B.DISCHARGE FROM URBAN WASTEWATER TREATMENT PLANTS TO RECEIVING WATERS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                         | SE proposal | SE comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                         |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                            |             |             |
|                                                                                                                                                                                                                                                         |             |             |
| 1. Wastewater treatment plants shall be designed or modified so that representative samples of the incoming wastewater and of treated effluent can be obtained before discharge to receiving waters.                                                    |             |             |
|                                                                                                                                                                                                                                                         |             |             |
| 2. Discharges from urban wastewater treatment plants <b>serving agglomerations referred to in subject to treatment in accordance with Articles 6, 7 and 8</b> shall meet the requirements shown in Table 1 <b>of this Annex.</b>                        |             |             |
|                                                                                                                                                                                                                                                         |             |             |
| 3. Discharges from urban wastewater treatment plants referred to in paragraph 1 and 3 Article 7(1) or <b>serving agglomerations referred to in Article 7(3)</b> and in Article 8 <del>in accordance with those Articles</del> shall, in addition to the |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                        | SE proposal | SE comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| requirements referred to in point 2, meet the requirements shown in Table 2 of this Annex.                                                                                                                                                                                                             |             |             |
|                                                                                                                                                                                                                                                                                                        |             |             |
| 4. Discharges from urban wastewater treatment referred to in Article 8(1) <b>or serving agglomerations</b> and included in the list referred to in Article 8(24) shall, in addition to the requirements referred to in points 2 and 3, meet the requirements set out in Table 3 <b>of this Annex</b> . |             |             |
|                                                                                                                                                                                                                                                                                                        |             |             |
| 5. Authorisations <b>and/or regulations</b> for discharges from urban wastewater treatment plants using plastic biomedica shall include an obligation to permanently monitor and prevent all unintentional <b>such</b> biomedica <b>from being released in to receiving waters</b> the environment.    |             |             |
|                                                                                                                                                                                                                                                                                                        |             |             |
| 6. More stringent requirements than those set out in Tables 1, 2 and 3 shall be applied where necessary to ensure that the receiving waters fulfil the requirements laid down in Directives 2000/60/EC, 2008/56/EC, 2008/105/EC and 2006/7/EC.                                                         |             |             |
|                                                                                                                                                                                                                                                                                                        |             |             |
| 7. The points of discharge of urban wastewater shall be chosen, as far as possible, so as to minimize the effects on receiving waters.                                                                                                                                                                 |             |             |
|                                                                                                                                                                                                                                                                                                        |             |             |
| Table 1: Requirements for discharges from urban waste water treatment plants subject to Article 6 of the Directive. The values for concentration or for the percentage of reduction shall apply.                                                                                                       |             |             |

| New text proposal_Clusters1,3,5                                              |                         |                                                            |                                                                                                                                                                                                 | SE proposal                                                                         | SE comments |
|------------------------------------------------------------------------------|-------------------------|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------|
| Parameters                                                                   | Concentration           | Minimum percentage of reduction (see Note 4) <sup>40</sup> | Reference method of measurement                                                                                                                                                                 |  |             |
| Biochemical oxygen demand (BOD5 at 20 °C) without nitrification (see Note 1) | 25 mg/l O <sub>2</sub>  | 70-90<br>40 under<br>Article 4 (2)                         | Homogenized, unfiltered, undecanted sample. Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor |                                                                                     |             |
| Chemical oxygen demand (COD) (See Note 2)                                    | 125 mg/l O <sub>2</sub> | 75                                                         | Homogenized, unfiltered, undecanted sample Potassium dichromate                                                                                                                                 |                                                                                     |             |
| Total Organic Carbon (See Note 2)                                            | 37 mg/l                 | 75                                                         | EN 1484                                                                                                                                                                                         |                                                                                     |             |
| Total suspended solids                                                       | 35 mg/l (see Note 3)    | 90 (see Note 3)                                            | – Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing                                                                                         |                                                                                     |             |

<sup>40</sup> — Reduction in relation to the load of the influent.

| New text proposal_Clusters1,3,5                                                                                                                                                                                |  |  |                                                                                                                                                       | SE proposal       | SE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------|
|                                                                                                                                                                                                                |  |  | <div>– Centrifuging of a representative sample (for at least five mins with mean acceleration of 2800 to 3200 g), drying at 105 °C and weighing</div> | <div>PUBLIC</div> |             |
| <div>Note 1: The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen demand (TOD) if a relationship can be established between BOD5 and the substitute parameter.</div> |  |  |                                                                                                                                                       |                   |             |
| <div>Note 2: Member States shall measure either the Chemical oxygen demand (COD) or the Total Organic Carbon.</div>                                                                                            |  |  |                                                                                                                                                       |                   |             |
| <div>Note 3: This requirement is optional.</div>                                                                                                                                                               |  |  |                                                                                                                                                       |                   |             |
| <div><b>Note 4: Reduction in relation to the load of the influent.</b></div>                                                                                                                                   |  |  |                                                                                                                                                       |                   |             |

### C. PRIOR REGULATIONS AND/OR SPECIFIC AUTHORISATIONS FOR DISCHARGE OF NON-DOMESTIC WASTEWATER

| New text proposal_Clusters1,3,5                                                           | SE proposal | SE comments |
|-------------------------------------------------------------------------------------------|-------------|-------------|
| <p><i>Relevant definitions (please comment on definitions linked to this article)</i></p> |             |             |
|                                                                                           |             |             |
| <p><i>Relevant recitals (please comment on recitals linked to this article)</i></p>       |             |             |
|                                                                                           |             |             |

1. The ~~prior general binding rules~~ **regulations** and/or specific authorisations referred to in Article 14(1) shall ensure the following:

(a) the polluting substances contained in the non-domestic wastewater do not impede the operation of the wastewater treatment plant, do not damage collecting systems, wastewater treatment plants and associated equipment and do not prevent the reuse of treated water and the recovery of ~~sludge-nutrients or other materials~~ **from urban wastewater or sludge**;

(b) the polluting substances contained in the non-domestic wastewater do not harm the health of the staff working in collecting systems and urban wastewater treatment plants;

(c) the polluting substances contained in the non-domestic wastewater can be abated by the urban wastewater treatment plant ~~except those resulting from the natural degradation of organic matter producing toxic substances (e.g. H<sub>2</sub>S)~~;

(d) where an urban wastewater treatment plant treats discharges from an installation holding a permit referred to in Article 4 of Directive 2010/75/EU, the pollutant load from the discharges of that plant does not exceed the pollutant load that would be discharged if the discharges were released directly from the installation and were compliant with the emission limit values **applicable according to this Directive**. ~~set in accordance with Article 15(3) of that Directive and any additional measures taken in accordance with Article 18 of that Directive~~;

(e) the pollutant load in the discharge from the urban wastewater treatment plant does not deteriorate ~~the good ecological status or potential or good chemical~~ status of the receiving water body and does not prevent that water body from achieving such status, in accordance with the objectives set out in Article 4 of Directive 2000/60/EC.

2. The specific authorisation shall include an annex, which documents the fulfilment of all the conditions set out in point

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| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                        | SE proposal | SE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 1. The provisions of the specific authorisations shall be updated in the cases where the characteristics of the non-domestic wastewater, of the urban wastewater treatment plant or of the receiving water body change significantly to ensure that those conditions remain fulfilled. |             |             |

#### D. METHODS FOR MONITORING AND EVALUATION OF RESULTS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                         | SE proposal | SE comments                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                                                                      |             |                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                         |             |                                                                                                               |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                                                                            |             |                                                                                                               |
| (12)                                                                                                                                                                                                                                                                                                                                                                                                                    |             |                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                         |             |                                                                                                               |
| <p>1. Member States shall ensure that a monitoring method is applied which fulfils the requirements set out in points 2 to 5.</p> <p>Alternative methods to those referred to in points 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.</p> <p>Member States shall provide the Commission with all relevant information concerning the applied monitoring method.</p> |             |                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                         |             |                                                                                                               |
| 2. Flow-proportional or time-based 24-hour samples shall be collected at the same well-defined point in the outlet                                                                                                                                                                                                                                                                                                      |             | SE suggests considering the possibility to allow the analysis of weekly pooled samples (7-day-samples instead |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | SE proposal                                                                                                  | SE comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                                                                    |                                                   |                                                                                |                         |                                                                                                              |  |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------|
| <p>and, if necessary, in the inlet of the urban wastewater treatment plant. However, any time-based samples used to monitor micropollutants shall be 48-hour samples.</p> <p>Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                              | <p>of one daily sample per week) for parameters where preservation methods (e.g. cooling, freezing, acidification) can be used to avoid significant degradation of the target compound(s). This would enable higher representativity in general with regard to parameters required to be monitored in Art 21.3 without increasing the costs of analyses. For parameters whose compliance is to be assessed using annual averages, this option would provide a considerably better representativity than 52 daily samples.</p> |                           |                                                                    |                                                   |                                                                                |                         |                                                                                                              |  |                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                    |                                                   |                                                                                |                         |                                                                                                              |  |                                                                                        |
| <p>3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year:</p> <table><tr><td>— 1000 to 9 999 p.e.:</td><td>One sample per month (<b>see Note 1</b>)</td></tr><tr><td>— 10 000 to 49 999 p. e.:</td><td>Two samples per month<br/>For micropollutants, one sample per month</td></tr><tr><td>— 50 000 <b>or over</b> <del>to 99 999 p.e.</del></td><td>One sample per week<br/>For micropollutants, two samples per week <b>month.</b></td></tr><tr><td>— 100.000 p.e. or over:</td><td>One <b>Two</b> samples per day <b>week</b><br/>For micropollutants, <del>two</del> <b>one</b> sample per week</td></tr></table> <p><b>Note 1: For agglomerations concerned by seasonal activity, intervals of maximum two months without sampling are accepted provided that additional samples are taken during the months of seasonal activity. A total of 12 samples shall be taken throughout the year.</b></p> | — 1000 to 9 999 p.e.:                                                                                        | One sample per month ( <b>see Note 1</b> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | — 10 000 to 49 999 p. e.: | Two samples per month<br>For micropollutants, one sample per month | — 50 000 <b>or over</b> <del>to 99 999 p.e.</del> | One sample per week<br>For micropollutants, two samples per week <b>month.</b> | — 100.000 p.e. or over: | One <b>Two</b> samples per day <b>week</b><br>For micropollutants, <del>two</del> <b>one</b> sample per week |  | <p>SE supports to have the same frequency for all treatment plants over 50 000 pe.</p> |
| — 1000 to 9 999 p.e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | One sample per month ( <b>see Note 1</b> )                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                    |                                                   |                                                                                |                         |                                                                                                              |  |                                                                                        |
| — 10 000 to 49 999 p. e.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Two samples per month<br>For micropollutants, one sample per month                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                    |                                                   |                                                                                |                         |                                                                                                              |  |                                                                                        |
| — 50 000 <b>or over</b> <del>to 99 999 p.e.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | One sample per week<br>For micropollutants, two samples per week <b>month.</b>                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                    |                                                   |                                                                                |                         |                                                                                                              |  |                                                                                        |
| — 100.000 p.e. or over:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | One <b>Two</b> samples per day <b>week</b><br>For micropollutants, <del>two</del> <b>one</b> sample per week |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                                                                    |                                                   |                                                                                |                         |                                                                                                              |  |                                                                                        |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SE proposal                                                                                                                                       | SE comments                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>4. The treated wastewater shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way:</p> <p>(a) for the parameters specified in Table 1, a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions, is specified in Table 4;</p> <p>(b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %, except for the parameter total suspended solids, for which deviations from the parametric values of up to 150 % may be accepted;</p> <p>(c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall <del>be</del> conform to the relevant parametric values set out in that table. One or both parameters may be applied depending on the local situation. The values for concentration or for the minimum percentage of reduction shall apply;</p> <p>(d) for the parameters specified in Table 3, each sample taken shall be conform to the parametric values set out in that table.</p> | <p>(d) for the parameters specified in Table 3, each sample taken shall <del>be</del> conform to the parametric values set out in that table.</p> |                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                   |                                                                                                                                                 |
| <p>5. The samples shall be taken so that they reflect the pollution during dry weather <del>flow conditions</del>. Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations due to heavy rain.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                   | <p>Should be in line with the expression finally chosen for “dry weather flow/conditions/something else” in Article 5.2(b) and Annex V.2(b)</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                   |                                                                                                                                                 |
| <p>6. Analyses concerning discharges from lagooning shall be carried out on filtered samples; however, the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                   |                                                                                                                                                 |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SE proposal                                               | SE comments                                               |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------|-----|---|------|---|-------|---|-------|---|-------|---|-------|---|-------|---|-------|---|--------|---|---------|----|---------|----|---------|----|---------|----|---------|----|---------|----|---------|----|---------|----|--|--|
| concentration of total suspended solids in unfiltered water samples of such discharges shall not exceed 150 mg/L.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                           |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| <div>Table 4: <b><u>Requirements for samples</u></b></div> <table><tr><td>Series of samples taken in any year</td><td>Maximum permitted number of samples which fail to conform</td></tr><tr><td>4-7</td><td>1</td></tr><tr><td>8-16</td><td>2</td></tr><tr><td>17-28</td><td>3</td></tr><tr><td>29-40</td><td>4</td></tr><tr><td>41-53</td><td>5</td></tr><tr><td>54-67</td><td>6</td></tr><tr><td>68-81</td><td>7</td></tr><tr><td>82-95</td><td>8</td></tr><tr><td>96-110</td><td>9</td></tr><tr><td>111-125</td><td>10</td></tr><tr><td>126-140</td><td>11</td></tr><tr><td>141-155</td><td>12</td></tr><tr><td>156-171</td><td>13</td></tr><tr><td>172-187</td><td>14</td></tr><tr><td>188-203</td><td>15</td></tr><tr><td>204-219</td><td>16</td></tr><tr><td>220-235</td><td>17</td></tr></table> | Series of samples taken in any year                       | Maximum permitted number of samples which fail to conform | 4-7 | 1 | 8-16 | 2 | 17-28 | 3 | 29-40 | 4 | 41-53 | 5 | 54-67 | 6 | 68-81 | 7 | 82-95 | 8 | 96-110 | 9 | 111-125 | 10 | 126-140 | 11 | 141-155 | 12 | 156-171 | 13 | 172-187 | 14 | 188-203 | 15 | 204-219 | 16 | 220-235 | 17 |  |  |
| Series of samples taken in any year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Maximum permitted number of samples which fail to conform |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 4-7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 8-16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 17-28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 29-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 4                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 41-53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 5                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 54-67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 6                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 68-81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 7                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 82-95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 8                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 96-110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 9                                                         |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 111-125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 10                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 126-140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 11                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 141-155                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 12                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 156-171                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 13                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 172-187                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 14                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 188-203                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 15                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 204-219                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 16                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |
| 220-235                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 17                                                        |                                                           |     |   |      |   |       |   |       |   |       |   |       |   |       |   |       |   |        |   |         |    |         |    |         |    |         |    |         |    |         |    |         |    |         |    |  |  |

| New text proposal_Clusters1,3,5 |    | SE proposal | SE comments |
|---------------------------------|----|-------------|-------------|
| 236-251                         | 18 | PUBLIC      |             |
| 252-268                         | 19 |             |             |
| 269-284                         | 20 |             |             |
| 285-300                         | 21 |             |             |
| 301-317                         | 22 |             |             |
| 318-334                         | 23 |             |             |
| 335-350                         | 24 |             |             |
| 351-365                         | 25 |             |             |

#### ANNEX 4 IV – INDUSTRIAL SECTORS

| New text proposal_Clusters1,3,5                                                                                                                                |  | SE proposal | SE comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------|-------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                             |  |             |             |
|                                                                                                                                                                |  |             |             |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                   |  |             |             |
|                                                                                                                                                                |  |             |             |
| 1. Milk-processing<br>2. Manufacture of fruit and vegetable products<br>3. Manufacture and bottling of soft drinks<br>4. Potato-processing<br>5. Meat industry |  |             |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                               | SE proposal | SE comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 6. Breweries<br>7. Production of alcohol and alcoholic beverages<br>8. Manufacture of animal feed from plant products<br>9. Manufacture of gelatine and of glue from hides, skin and bones<br>10. Malt-houses<br>11. Fish-processing industry |             |             |

## ANNEX 5 V– CONTENT OF THE INTEGRATED URBAN WASTEWATER AND POLLUTED URBAN RUNOFF MANAGEMENT PLANS

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                        | SE proposal | SE comments                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------|
| <i>Relevant definitions (please comment on definitions linked to this article)</i>                                                                                                                                                                                                                                                                                     |             |                                   |
|                                                                                                                                                                                                                                                                                                                                                                        |             |                                   |
| <i>Relevant recitals (please comment on recitals linked to this article)</i>                                                                                                                                                                                                                                                                                           |             |                                   |
|                                                                                                                                                                                                                                                                                                                                                                        |             |                                   |
| 1. An analysis of the initial situation of the <b><u>drainage catchment</u></b> -area of the urban wastewater treatment plant of the concerned agglomeration, including at least the following:<br><br>(a) a detailed description of the network of collecting systems, the urban wastewater and urban runoff storage <b>and conducting</b> capacities of that network |             | SE support the suggested changes, |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SE proposal                                                                                                                                                                                                                                                                                                                                                                                  | SE comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <p>and the existing urban wastewater treatment capacities in case of rainfall;</p> <p>(b) a dynamic analysis of the flows of urban runoff, <b>polluted urban runoff</b> and urban wastewaters in case of rainfall based on the use of hydrological, hydraulic and water quality models that take into account state-of-the-art climate projections and including an estimate of the pollution loads <b>of the parameters referred to in Table 1 and, where relevant, Table 2 of Annex I as well as microplastics and relevant micropollutants</b> released in receiving waters in case of rainfall;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                              |             |
| <p>2. Objectives for the reduction of pollution from <del>storm water</del><b>sewer</b> overflows and <b>polluted discharges of</b> urban runoff <b>discharges</b>, including the following:</p> <p>(a) an <b>indicative</b> objective that <del>storm water sewer</del> overflow; represents <del>only no more than 1 %</del> <b>a small percentage, preferably below one 2% percent</b>, of the annual collected urban wastewater load calculated in dry weather conditions;</p> <p>This <del>indicative target objective shall</del><b>should</b> be met by:</p> <p>(i) 31 December <del>2035</del><b>2040</b> for all agglomerations of 100 000 p.e. and above;</p> <p>(ii) 31 December <del>2040</del><b>2045</b> for agglomerations of 10 000 p.e. <b>and above referred to and above identified in accordance with paragraph 2 of Article 5(2);</b></p> <p>(b) the progressive <b>reduction of pollution load from</b> <del>elimination of untreated</del> discharges of urban runoff through separate <del>sewers</del><b>collection networks</b>, unless it can be demonstrated that those discharges do not cause adverse impacts on the <b>water quality requirements of other Union legislation of receiving waters;</b></p> | <p>2. Objectives for the reduction of pollution from sewer overflows and <b>discharges</b> of urban runoff, <b>discharges</b> including the following:</p> <p>(a) an indicative objective that <b>sewer</b> overflow represents <b>only a small percentage, preferably below 2% two</b> percent, of the annual collected urban wastewater load calculated in dry weather conditions; ...</p> |             |

| New text proposal_Clusters1,3,5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SE proposal | SE comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| (c) <b>the progressive reduction of macroplastics in sewer overflow and discharges of urban runoff.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| 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 <del>implementation</del> <b>implementation</b> of the integrated plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |             |
| <p>4. When assessing which measures to be taken under point 3, Member States shall ensure that their competent authorities consider at least the following:</p> <p>(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;</p> <p>(b) secondly, measures to better manage and optimize the use of existing infrastructure including collecting systems, storage volumes, urban wastewater treatment plants with the aim to ensure that polluted rain waters are collected and treated, and releases of untreated urban wastewater into receiving waters are minimised;</p> <p>(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 considered in the context of the development of the integrated urban wastewater management plans referred to in Article 5.</p> |             |             |